





LIBRARY
OF THE
UNIVERSITY
OF ILLINOIS

328.7481

P381

1947

v. 3

328.7481

P381

1947

v.3

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., THURSDAY, MAY 8, 1947.

No. 53.

SENATE

THURSDAY, May 8, 1947

The Senate met at 11:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the gentleman from Butler, Mr. CARR.

We bow again in Thy presence, our Heavenly Father, and ask that Thy blessing may rest upon the labors in which we are engaged. Grant that a portion of Thy wisdom and understanding may be given unto each one of us and that we may act in accordance with Thy will.

Remove from us that great center of all our separation from Thee, this thing called selfishness, and help us that we may act unselfishly for the good of all. We ask it in Jesus name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. WALKER, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 475,
PRINTER'S No. 141

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 475, Printer's No. 141, entitled "An Act to further amend section two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 645) entitled 'An act imposing certain requirements on certain hospitals receiving State aid authorizing the withholding of appropriations and imposing duties on the Department of Welfare' extending temporary wartime provisions."

JAMES H. DUFF

APPROVED AND SIGNED SENATE BILL No. 385,
PRINTER'S No. 101

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 385, Printer's No. 101, entitled "An Act to amend subsection (b) of section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' by providing that where borough taxes are collected by an appointee of council the council may prescribe the bond that may be required for the borough taxes."

JAMES H. DUFF

APPROVED AND SIGNED SENATE BILL No. 369,
PRINTER'S No. 132

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 369, Printer's No. 132, entitled "An Act to authorize railroad corporations incorporated in this Commonwealth to hold directors' meetings at such place within this Commonwealth or elsewhere as appointed by a majority of the directors."

JAMES H. DUFF

APPROVED AND SIGNED SENATE BILL No. 362,
PRINTER'S No. 129

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 362, Printer's No. 129, entitled "An Act to amend section two of the act approved the eleventh day of April one thousand nine hundred forty-five (P. L. 203) entitled 'An act to provide assistance for typhoid fever carriers and persons having typhoid fever carriers in their household and imposing certain responsibilities upon the Secretary of Health the Secretary of Public Assistance and the Secretary of Welfare in connection therewith' by fixing the date on which financial assistance shall begin."

JAMES H. DUFF

APPROVED AND SIGNED SENATE BILL No. 293,
PRINTER'S No. 190

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 293, Printer's No. 190, entitled "An Act to further amend sections one thousand three one thousand one hundred three one thousand one hundred seven and one thousand eight hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto further regulating the powers and duties of township auditors and controllers and the letting of contracts'"

JAMES H. DUFF

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. HEYBURN, Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 8, 1947.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Dorothy M. Anderson, Pittsburgh, 1301 First National Bank Building

Mrs. Clara Barnhart, Pittsburgh, Sears, Roebuck & Co., 515 Sandusky St., N. S.

BERKS COUNTY

Mrs. Dorothy E. Hornberger, Reading.

CAMBRIA COUNTY

Mrs. Rozella L. Ealy, Barnesboro.

Mrs. Ann M. Haid, Johnstown.

CLINTON COUNTY

Mrs. Bessie L. Lintz, Lock Haven.

LACKAWANNA COUNTY

Miss Adeline O'Neill, Scranton.

LANCASTER COUNTY

Mrs. Barbara B. Bomberger, Manheim.

Robert Eberly Longenecker, Clay Twp., Clay

LAWRENCE COUNTY

George T. Weingartner, New Castle.

MIFFLIN COUNTY

Eugene B. Aurand, Lewistown.

PHILADELPHIA COUNTY

Mrs. Madeleine J. Rodgers, Phila., 1719-23 North American Building.

Raymond Uzumecki, Phila., 300 Wharton St.

YORK COUNTY

Boyd W. Arnold, Dillsburg

JAMES H. DUFF

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. HEYBURN and Mr. WADE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Frazier,	Mallery,	Wagner,
Becker,	Geltz,	Snowden,	Walker,
Berger,	Hare,	Stevenson,	Watson,
Blass,	Heyburn,	Tallman,	Wilson,
Carr,	Holland,	Tarr,	Wolfe,
Crider,	Homsher,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,	Wade,	Woodring,
Farrell,	Mahany,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 37, entitled:

An Act defining and providing for the licensing and regulation of private schools; conferring powers and imposing duties on the Department of Public Instruction; and imposing penalties.

Which was committed to the Committee on Education.

House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

Which was committed to the Committee on Judiciary General.

House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "Administrative Code of 1929," by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission.

Which was committed to the Committee on Military Affairs and Aeronautics.

HOUSE CONCURS IN RESOLUTION RECALLING
FROM THE GOVERNOR SENATE BILL No. 148

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 6, 1947

Resolved (If the House of Representatives concur)
That Senate Bill No. 148, entitled:

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 48

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 48, entitled:

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing acquisition of property for, and establishment and maintenance of parking lots.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 662

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 662, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended "Cigarette Tax Act," as previously reenacted and amended by increasing the rate of tax and the permit fee, by extending the provisions of the act for a further limited period of time, and by extending the provisions of the act to impose a tax upon sales or gifts of tobacco products as defined.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 664

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 664, entitled:

An Act to provide revenue by imposing a State tax, payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks, prepared, used, sold, transported or delivered within the Commonwealth; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing

the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks taxable hereunder; and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE
BILL No. 785

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 785, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Public Service Institute Board in the Department of Public Instruction; and defining its powers and duties.

HOUSE CONCURS IN SENATE BILL No. 381

He also returned to the Senate, Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the number of members of The Advisory Health Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 48, entitled:

An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing acquisition of property for, and establishment and maintenance of parking lots.

House Bill No. 538, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," creating a

County Transit and Traffic Commission in counties of the second class, providing for its membership and defining its powers and duties.

House Bill No. 554, entitled:

An Act providing that in cities of the first class, in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels, the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided; and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien.

House Bill No. 659, entitled:

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts.

House Bill No. 661, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six, (Special Session of one thousand nine hundred thirty-six, (P. L. 13), entitled "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

House Bill No. 662, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled as amended "Cigarette Tax Act," as previously reenacted and amended, by increasing the rate of tax and the permit fee, by extending the provisions of the act for a further limited period of time, and by extending the provisions of the act to impose a tax upon sales or gifts of tobacco products as defined.

House Bill No. 663, entitled:

An Act to further amend section three of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 284), entitled as amended, "Beverage Tax Law," by temporarily increasing the rates of certain taxes.

House Bill No. 664, entitled:

An Act to provide revenue by imposing a state tax, payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks, prepared, used, sold transported or delivered within the Commonwealth; requiring persons as herein defined engaged in the manufacture, bottling, distribution, sale and transportation of syrup and bottled soft drinks to secure permits; prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax; conferring powers and imposing duties on the Department of Revenue and those manufacturing, bottling, distributing, selling and transporting syrup or bottled soft drinks taxable hereunder; and providing penalties.

House Bill No. 665, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 208), entitled as amended "Corporate Net Income Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time; an dby disallowing any deduction for net operating losses.

House Bill No. 666, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," removing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

House Bill No. 785, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by creating the Public Service Institute Board in the Department of Public Instruction; and defining its powers and duties.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. LLOYD H. WOOD, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 182, entitled:

An Act to further amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pension for the blind, old age assistance, and the State Emergency Relief Board," by changing the qualifications relating to pensions of blind persons.

Mr. BERGER, from the Committee on Judiciary General, reported as committed, House Bill No. 346, entitled:

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee.

Mr. HARE, from the Committee on Elections, re-reported as committed, Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and elec-

tion expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that where members of a political party are appointed or elected to represent the members of such party in an election district, said members shall constitute a political committee for such district.

Mr. STEVENSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 243, entitled:

An Act relating to the sale, transfer, pledge, and assignment of, and liens upon, accounts receivable arising out of contracts, in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

He also from the Committee on Judiciary General, reported as committed, Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

He also from the Committee on Judiciary General, reported as committed, Senate Bill No. 675, entitled:

An Act validating County Treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

BILL INTRODUCED AND REFERRED

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, establishing the Fund Stabilization Factor in lieu of the Safety Factor, and making provision for the application thereof, and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

Which was committed to the Committee on Labor and Industry.

RESOLUTIONS

AUTHORIZING MEMORIAL SERVICES FOR MAJOR GENERAL EDWARD C. SHANNON BE PRINTED IN BOOK FORM

Mr. BECKER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 8, 1947.

Resolved, That 500 copies of the record of the memorial exercises in memory of Major General Edward C. Shannon, deceased, be printed in book form for the use of the Senate.

AUTHORIZING MEMORIAL SERVICES FOR SENATOR ADRIAN H. JONES BE PRINTED IN BOOK FORM

Mr. T. NEWELL WOOD offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 8, 1947.

Resolved, That 500 copies of the record of the memorial exercises in memory of Senator Adrian H. Jones, deceased, be printed in book form for the use of the Senate.

AUTHORIZING MEMORIAL SERVICES FOR SENATOR HOWARD I. JAMES BE PRINTED IN BOOK FORM

Mr. WATSON offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 8, 1947.

Resolved, That 500 copies of the record of the memorial exercises in memory of Senator Howard I. James, deceased, be printed in book form for the use of the Senate.

AUTHORIZING MEMORIAL SERVICES FOR SENATOR FRANKLIN SPENCER EDMONDS BE PRINTED IN BOOK FORM

Mr. LLOYD H. WOOD offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 8, 1947.

Resolved, That 500 copies of the record of the memorial exercises in memory of Senator Franklin Spencer Edmonds, deceased, be printed in book form for the use of the Senate.

CALENDAR

BILLS ON FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 415 on final passage, entitled:

An Act to amend sections 501 and 502 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferr-

ing upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 1046 on final passage, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172), entitled "A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 33, on third reading, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 413, as follows:

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million dollars (\$1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven to be paid to state-aided medical and surgical hospitals for the purpose of reimbursing such hospitals for part of the cost of training student nurses in approved schools of nursing Payments from the appropriation herein shall be made to such hospitals from time to time at the rate of fifty dollars (\$50) annually for each student nurse being trained in a hospital.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Frazier,	Mallery,	Wagner,
Becker,	Geltz,	Snowden,	Walker,
Berger,	Hare,	Stevenson,	Watson,
Blass,	Heyburn,	Tallman,	Willson,
Carr,	Holland,	Tarr,	Wolfe,
Crider,	Homsher,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,	Wade,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 438 on third reading, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 439, as follows:

An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred

thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" is hereby amended by adding between sections five and six a new section to read as follows

Section 5.1 Any person who practiced barbering during any period of service with the armed services of the United States shall receive credit for such period of practice toward the two-year registered apprentice or registered student-apprentice period required by this act upon furnishing affidavits from his or her former immediate commanding officer or officers or such other official documents as may be proof to the department that he or she did practice barbering for such period whether or not such person was registered with the department prior to his entry into the armed forces of the United States

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Frazier,	Mallery,	Wagner,
Becker,	Geltz,	Snowden,	Walker,
Berger,	Hare,	Stevenson,	Watson,
Blass,	Heyburn,	Tallman,	Wilson,
Carr,	Holland,	Tarr,	Wolfe,
Crider,	Homsher,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,	Wade,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 494 on third reading entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulat-

ing the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 498 on third reading entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 503 on third reading entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 639, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and opera-

tion of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1, page 3, line 8, by inserting after the word "private" the word "real"; Amend Sec. 1, page 3, lines 10 and 11, by striking out the words "including land covered by the streams, rivers or waters of this Commonwealth"; Amend Sec. 1, page 3, line 14, by inserting after the word "that" the following: "streams, rivers or waters of this Commonwealth or any of them or the land covered thereby, or other."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1313, as follows:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No 26-A) entitled "An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school" is hereby amended to read as follows

Section 1 An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred (600) wards of the State at four hundred and [thirty dollars (\$430)] eighty dollars (\$480) per capita per annum and the sum of five hundred and [sixteen thousand dollars (\$516,000)] seventy-six thousand dollars (\$576,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-five

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barr,	Frazier,	Mallery,	Wagner,
Becker,	Geltz,	Snowden,	Walker,
Berger,	Hare,	Stevenson,	Watson,
Blass,	Heyburn,	Tallman,	Wilson,
Carr,	Holland,	Tarr,	Wolfe,
Crider,	Homsher,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,	Wade,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye," the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 26, on second reading, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 80, entitled:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian Gertrude Martin Rohrer as the State song of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, before moving Senate Bill No. 190 over in order, I think for the information of the public I should state that it has been decided that a public hearing will be held on this bill and on Senate Bill 644, next Wednesday morning at ten o'clock in the Senate Caucus Room.

The reason for this, Mr. President, is that there seems to be a great deal of misunderstanding with respect to the oleo problem. A great number of letters are being received by the Senators complaining about a tax on oleo, and there is no bill in the legislature, to my knowledge, providing for a tax on oleo. On the other hand, Mr. President, the Department of Agriculture insists that it must have some sort of registration cards to handle oleo, or it would be impossible for them to insure a pure product for the consumers of oleo in Pennsylvania.

Therefore, Mr. President, in order to get the facts on the whole situation, there will be a public hearing, which, as I said, will be held next Wednesday morning at ten o'clock in the Senate Caucus Room.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 190 on second reading entitled:

An Act to repeal certain statutes relating to oleo-margarine butterine or similar substances manufactured wholly or partly from fats oils or oleaginous substances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 202, entitled:

An Act to further amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions shall be determined" increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 253, on second reading entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell merchandise

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 285 on second reading entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 306, on second reading entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 358, on second reading entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 362, entitled:

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled "An act to fix the standard weights of containers for wheat and corn flours corn-meals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 519 on second reading entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 537 on second reading entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employees of such concessions are the property of the owner thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 551, on second reading entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyd's associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional insurance companies to come within the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 562 on second reading entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 564, entitled:

An Act to amend subsection (f) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled

"An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 565, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 566, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the

challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" providing for a space wherein elector shall affix his signature or mark on registration card.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 567, entitled:

An Act to amend subsection (f) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or marks on registration card.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 568, entitled:

An Act to amend section twenty point one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of

school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 586, on second reading entitled:

An Act to further amend section eight of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof" empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 586, on second reading entitled:

An Act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on second reading entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 631, on second reading entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 637, on second reading entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 644, on second reading entitled:

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

go over in its order, in order that a public hearing may be held next Wednesday, May 14, at ten o'clock, a. m., in the Senate Caucus Room, on this bill, and Senate Bill No. 190.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 664, entitled:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mine foreman.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 665, entitled:

A Supplement to the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" making an appropriation to the Department of Property and Supplies for the payment of the costs of acquiring certain property and the improvement and beautification thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 714, entitled:

An Act to further amend section seven of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 865, on second reading entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contest; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. WADE. Mr. President, I move that House Bill No. 887, on second reading, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that House Bill No. 888, on second reading, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons,

association, companies and corporations, and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that House Bill No. 890, on second reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines, and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that House Bill No. 895 on second reading, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws." authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that House Bill No. 897 on second reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund;

providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that House Bill No. 908 on second reading, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WADE. Mr. President, I move that House Bill No. 910 on second reading, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

be placed on the Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend page 2, section 1, line 9, by inserting after the word "states" and before the word "during", the following: "or of any of her allies".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. WILSON. Mr. President, my understanding was that House Bill 1053, after these amendments were adopted, would go over in its order, without passing second reading, until Monday. I think somebody should make a motion to that effect. That was my understanding, that this bill would go over until Monday, without second reading, after the amendments have been adopted, and I think that should be done.

Mr. WALKER. Mr. President, that is perfectly satisfactory.

Mr. WILSON. Mr. President, I wanted to have a public statement about that because it seems necessary to amend this bill in a way which seems perfectly proper to me, with more limited information, and with this amendment being proposed and being agreed to, it was the understanding that the bill would stay on second reading after the amendments were adopted, in the absence of quite a number of people here, so that it may have second reading on Monday, which only means a delay or one day.

The PRESIDENT. That is the position of the bill; it is still on second reading, as amended.

BILL OVER IN ORDER

Mr. WILSON. Mr. President, I ask unanimous consent that House Bill No. 1053, on second reading, as amended, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1137, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further defining the membership of Credit Unions and permitting loans to other credit unions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 182, entitled:

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the qualifications relating to pensions of blind persons

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. LLOYD H. WOOD. Mr. President, I move that House Bill No. 182, the bill just read, be recommitted to the Committee on Appropriations.

Mr. BECKER. Mr. President, I second the motion. The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 243, entitled:

An Act relating to the sale, transfer, pledge, and assignment of, and liens upon, accounts receivable arising out of contracts, in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 346, entitled:

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgement of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act validating County Treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect, if, in fact, such acknowledgement was taken before any officer duly authorized by law to take acknowledgements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, May 12, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:33 o'clock, p. m., Eastern Standard Time until Monday, May 12, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 8, 1947

The House met at 10:00 a. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrave offered the following prayer:

O God, our Heavenly Father, around about us are always Thy everlasting arms. A mighty fortress is our God, a refuge never failing. To Thee we yield ourselves, acknowledge our dependence and confess our sins.

Enlarge and extend the range of understanding and may we always have the deepest concern for others and for the welfare of our state and country.

In Thy light may we see light and strive for the best possible work by being the best possible men. For Thy name's Sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 7, 1947.

The Clerk proceeded to read the Journal of Wednesday, May 7, 1947, when, on motion of Mr. HOOPES unanimously agreed to, the further reading was dispensed with and the Journal approved.

REPORTS FROM COMMITTEE

Mr. KELLEY from the Committee on Aeronautics, reported as committed, Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by prescribing the procedure and entering into contracts for establishment, operation and maintenance of aviation landing fields and air dromes.

Mr. SWOPE from the Committee on Aeronautics, reported as committed, Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Act No. 85-A, page 61), entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," by adding municipal authorities to the agencies receiving assistance.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 593.

An Act to amend sections three hundred two and seven hundred one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 571) entitled "An act relating to assessment for taxation in counties of the fourth fifth sixth seventh and eighth classes designating the subjects property and persons subject to and exempt from taxation for county borough town township school except in cities and county institution district purposes and providing for and regulating the assessment and valuation thereof for such purposes creating in each such county a board for the assessment and revision of taxes defining the powers and duties of such boards providing for the acceptance of this act by cities regulating the office of ward borough town and township assessors abolishing the office of assistant triennial assessor in townships of the first class providing for the appointment of a chief assessor assistant assessors and other employees providing for their compensation payable by such counties prescribing certain duties of and certain fees to be collected by the recorder of deeds and eliminating the triennial assessment" enlarging the powers of boards of assessment and revision of taxes as to the revision of assessments and valuations.

Referred to the Committee on Counties.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, pre-

sented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 287, 327, 358, 361, 746, 780, 905, 917, 921 and 936

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 287, Printer's No. 202, entitled "An Act authorizing the Department of Property and Supplies with the approval of the Governor to convey to the Borough of Towanda for use as an airport certain real estate located in the Township of Towanda County of Bradford and heretofore acquired by the Commonwealth for development as an airport."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 327, Printer's No. 141, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined, transferring from the Department of Public Instruction to the Department of Mines the Anthracite Mine Inspectors' Examining Board and the Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania and providing reimbursement for certain expenses to members of such boards."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 358, Printer's No. 312, entitled "An Act to further amend the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled 'An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties' providing for transportation of solid fuel over a public highway making exceptions to necessity of a weighmaster's certificate and designating certain acts as prima facie evidence of short weight."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 361, Printer's No. 475, entitled "An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' providing for free fishing licenses to certain disabled war veterans."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 746, Printer's No. 344, entitled "An Act to further amend sections two and four of the act approved the thirtieth day of April one thousand nine hundred forty-three (P. L. 145) entitled as amended 'An act providing for and regulating the accumulation investment and expenditure by counties cities boroughs incorporated towns townships and school districts of funds for post war projects' permitting contributions to fund after post war period and the purchase or replacement of school buses."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 780, Printer's No. 166, entitled "An Act requiring public assistance milk orders to be presented for payment within a certain period otherwise to be cancelled and the monies appropriated for their payment to be escheated to the Commonwealth and credited to the current appropriation for public assistance purposes."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 905, Printer's No. 284, entitled "An Act to amend and reenact section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 491) entitled 'An act reducing for a limited period of time the training period of internship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws' further regulating the training period of internship in osteopathic hospitals."

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 917, Printer's No. 286, entitled "An Act to repeal the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 19) entitled 'An act reducing for a limited period of time the training period of medical internship in hospitals in order to qualify for examination for license to practice medicine and surgery and suspending inconsistent laws.'"

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 921, Printer's No. 287, entitled "An Act to repeal the act approved the twenty-second day of April one thousand nine hundred forty-three (P. L. 71) entitled 'An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time.'"

JAMES H. DUFF.

May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 936, Printer's No. 298, entitled "An Act to further amend section one of the act approved the twenty-sixth day of May one thousand nine hundred forty-three (P. L. 607) entitled 'An act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to certain applicants who are less than twenty-one but not less than twenty years of age' further regulating the professional examination licensure or registration of persons who are less than twenty-one but over twenty years of age."

JAMES H. DUFF.

PERMISSION TO INTRODUCE BILL

Mrs. McCOSKER. Mr. Speaker, I would like to ask unanimous consent of the House to present this bill at this time. It is for the new House of Detention in Philadelphia. The money has already been allocated and the site also has been planned. The reason it has been held up is on account of the illness of the Honorable Charles L. Brown, President Judge of Municipal Court.

The SPEAKER. Will the House give its unanimous consent to the introduction of the bill? Is there objection? The Chair hears none and consent is granted.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 125, entitled:

An Act to amend subsection fourteen of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" permitting boards of school directors to grant temporary increase in salaries from time to time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh

day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for pervention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposed powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL PASSED OVER

The SPEAKER. The Chair is informed that House Bill No. 551 is not in print and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1033, entitled:

An Act to amend clause (a) of Section five hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the levy of school taxes in school districts of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1100, entitled:

An Act directing the county commissioners of each county to prepare certify and deliver to the Department of Public Instruction at stated intervals a certified list of all real estate conveyances or transfers within such county stating the value of Federal tax stamps affixed to the deed for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Public Instruction for such lists and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the tilting including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of titles

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1311, entitled:

An Act regulating the practice of the profession of forestry in all of its branches including timber estimating and defining such branches providing for the registration of certain persons practicing or offering to practice said profession creating and conferring certain powers and imposing certain duties upon the State Registration Board for Professional Foresters the Department of Public Instruction and the court of common pleas of Dauphin County and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 289, entitled:

An Act to further amend Sections four hundred ten and four hundred eleven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating and changing the law relating thereto," by providing an alternate method for marking boundary lines of regulated shooting grounds; and authorizing fixing of shooting periods thereon under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 309, entitled:

An act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees requiring school districts and vocational school districts to make additional payments into the School Employees' Retirement Fund reserving all rights and privileges of employees granted

leaves of absence under the provisions herein and superseding or repealing all contrary laws" by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled: "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing

duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 274, entitled:

An Act to amend sections four thousand three hundred two four thousand three hundred three and four thousand three hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" inserting additional provisions relating to retirement basis for apportionment of pension and payments to pension fund by city

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 800, entitled:

An Act empowering political subdivisions (except cities of the first class, counties of the first class and school districts of the first class) to levy, assess and collect, or to provide for the levying, assessment and collection of certain additional taxes for general revenue purposes; authorizing the establishment of bureaus and the compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 49, Printer's No. 46,
Senate Bill No. 87, Printer's No. 243,
Senate Bill No. 114, Printer's No. 21,
Senate Bill No. 152, Printer's No. 245,
Senate Bill No. 194, Printer's No. 27,
Senate Bill No. 231, Printer's No. 221,
Senate Bill No. 232, Printer's No. 56,
Senate Bill No. 241, Printer's No. 76,
Senate Bill No. 246, Printer's No. 83,
Senate Bill No. 250, Printer's No. 178,
Senate Bill No. 311, Printer's No. 80,

Senate Bill No. 318, Printer's No. 81,
 Senate Bill No. 335, Printer's No. 55,
 Senate Bill No. 370, Printer's No. 133,
 Senate Bill No. 419, Printer's No. 157,
 Senate Bill No. 433, Printer's No. 137,
 Senate Bill No. 478, Printer's No. 244,
 Senate Bill No. 487, Printer's No. 168,
 Senate Bill No. 492, Printer's No. 185,
 Senate Bill No. 515, Printer's No. 203,
 Senate Bill No. 543, Printer's No. 186 and
 Senate Bill No. 557, Printer's No. 251

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection,

House Bill No. 535, Printer's No. 543

was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 83, Printer's No. 551,

House Bill No. 958, Printer's No. 432,

House Bill No. 1040, Printer's No. 397,

House Bill No. 1043, Printer's No. 433,

House Bill No. 1062, Printer's No. 552,

House Bill No. 1214, Printer's No. 530,

House Bill No. 1230, Printer's No. 461,

Senate Bill No. 47, Printer's No. 73 and

Senate Bill No. 282, Printer's No. 69

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 381, as follows:

An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the number of members of The Advisory Health Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thou-

sand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

* * * * *

(f) The Advisory Health Board shall consist of the Secretary of Health and [six] seven members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession one of whom shall be a dentist and one of whom shall be a pharmacist graduates of legally constituted dental and pharmacy colleges respectively and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be chairman of the board

[Three] Four members of the board together with the Secretary of Health shall constitute a quorum

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Heim,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopas,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrofsky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,

Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dlx,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—1

Yester,

NOT VOTING—2

Cooper,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, in the morning papers I note that out in Oklahoma City, a rather desperate, irritated and frustrated member of the House walked in and shot a Senator. Now, members of the House, I am not recommending the procedure but it is an idea.

I want to call the attention of the Chairman of the House Education committee and of the administration and the members of this House that the Republican platform says: "We favor salary standards for teachers comparable with those of other professions requiring similar training and education." That is the promise in the Republican platform.

The promise of the Democratic platform is that "... we establish teachers' salaries at levels which will induce competent men and women to enter the teaching profession as a life career."

Those are definite commitments. I fail to understand the reluctance of those in control of the machinery of this House, the reluctance of those who speak for the administration, to proceed with the prompt fulfillment of those two specific promises, promises that cannot be evaded. I feel, Mr. Speaker, that there may be method in the delay. Perhaps the crusade which the teachers were putting on and their friends were putting on reached its climax several weeks ago, and it may be that someone imagined that by a process of delay it will be possible to institute a program of compromise which will not redeem these specific promises. We would like to see a solution of the State's educational problem brought out upon the floor of this House, and we shall resent by every parliamentary expedient at our disposal being required to make hasty decisions on matters like House Bill 417 in the closing hours of a

dilatory session. There isn't any reason in the world why all of the really important business of this House should be brought to its attention in the final week. One of these days there will be trotted out a motion to set a day for final adjournment. Then the flood gates will open.

I propose upon the part of those to whom this House, as represented by its leadership, has made promises, that they take sufficient time to redeem those promises, and I repeat that we will resent by any parliamentary method at our disposal being compelled to do in two or three days the work that should have occupied the attention of this House over a period of weeks—and I might say weeks that have been in my opinion largely wasted.

Mr. SORG. Mr. Speaker, I did not think that it would be less than twenty-four hours that the gentleman would be in such a rush to spend the money which we just voted in this House. The ink is still wet on the revenue raising provisions. There hasn't been a chance to have it signed yet. There is no reluctance on the part of the majority of the House to fulfill the commitments of the platform in toto. It will not be done hastily; it will be done as a result of considered study, not for weeks but since the first day of this session.

Mr. ANDREWS. Mr. Speaker, might I briefly reply, that it had been my fond hope, that I am sorry to see shattered, that there was a complete understanding as to what the money should be spent for prior to the time the taxes were enacted. It is a lamentable situation, I confess, that we have raised the money, and now in our leisure time figure how in the thunder we are going to to spend it.

BILL ON FIRST READING

Mr. McMILLEN asked and obtained unanimous consent for House Bill No. 516 to be read for the first time.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" by adding municipal authorities to the agencies receiving assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 838

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution re-

calling from the Governor House Bill No. 838, Printer's No. 214, for the purpose of amendment.

According, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. SORG. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. BRUNNER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomer, Mr. Brunner vote on the final passage of this bill?

Mr. BRUNNER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SORG. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. SORG. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Bill, page 3, by inserting after line 6 the following section: "Section 2. The provisions of this act shall become effective immediately upon final enactment."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

PERMISSION TO INTRODUCE BILL

Mr. WOOD asked and obtained unanimous consent to introduce a bill.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 337, 383, 652.

Resolution for concurrence Veterans Hospital at Lebanon to be named in honor of Gen. Edward C. Shannon.

PERMISSION TO ADDRESS HOUSE

Mr. COLE asked and obtained unanimous consent to address the House.

Mr. Speaker, last night, we had a very swell time in honor of a very swell fellow. I would just like to take this opportunity as one of the new Members of the House of thanking Eddie Moore for the wonderful job he has done for the new Members and for the splendid help he has given us.

The SPEAKER. The gentleman last night heard the longest speech Eddie Moore ever made, and we all appreciated it.

ADJOURNMENT

Mr. MADIGAN. Mr. Speaker, I move that this House do now adjourn until Monday, May 12, 1947, at 3:30 p. m., Eastern Standard Time.

The motion was agreed to, and (at 10:55 a. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., MONDAY, MAY 12, 1947.

No. 54.

SENATE

MONDAY, May 12, 1947

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Great and marvelous are Thy works, Lord God Almighty; just and true are Thy ways how rich and lasting Thy wisdom and knowledge; how unsearchable are Thy judgments, and Thy plans are past finding out.

On this, the first day of another legislative week, we humbly place our trust in Thee, rejoicing in the knowledge of the fact that Thou hast considered us worthy to be co-workers with Thee in the great enterprise of State-Craft and Kingdom Building. May dignity and dispatch, along with good judgment and honest decisions, characterize the industry of this Legislative Body.

Be pleased to grant to the people of this Commonwealth the privilege of sharing in the task of making and keeping this great state free of social rancor, class-hatred and intrigue; make harmony and peace to flow down, as a gentle brook, into the hearts and homes of the citizenry.

Let Thy benediction be upon all public servants throughout our land and nation, to the end that they may give the highest and best in service, to the honor and glory of Thy Holy Name. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN, and Mr. WADE, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 104, PRINTER'S No. 225

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 104, Printer's No. 225, entitled "An Act to amend section three of the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 526) entitled 'An act relating to the use of trailing cables on portable electric machinery in coal mines providing for the health and safety of persons employed therein and for the protection and preservation of property connected therewith and for the inspection of such equipment by the Department of Mines' providing for additional grant of time within which to conform to the requirements thereof and validating actions of the Secretary of Mines and the Department of Mines."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 1 PRINTER'S No. 18

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 1, Printer's No. 18, entitled "An Act to further amend section three hundred forty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulations and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' further defining and amplifying the powers of foreign insurance companies with relation to real property in this Commonwealth."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 2, PRINTER'S No. 62

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 2, Printer's No. 62, entitled "An Act to further amend the act approved the seventeenth day of May one thousand nine hundred

twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' repealing sections four hundred four four hundred five and four hundred six thereof and adding new sections restating and changing requirements relating to the investment of the capital reserves and surplus of and relating to the real estate which may be held by life insurance companies and authorizing agreements between or among insurance companies concerning ownership and control of real estate owned by such companies or by corporations the stock of which is held or to be acquired by such companies."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 447,
PRINTER'S No. 139

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 447, Printer's No. 139, entitled "An Act to amend the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 106) entitled 'An act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes' continuing the commission and reappropriating the unexpended balance."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 254,
PRINTER'S No. 86

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 254, Printer's No. 86, entitled "An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization merger consolidating and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' regulating the establishment and maintenance of common trust funds by nonprofit corporations."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 255,
PRINTER'S No. 174

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 255, Printer's No. 174, entitled "An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' authorizing second class counties to acquire land for and erect operate and maintain thereon garbage disposal plants."

JAMES H. DUFF.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SENATE BILL No. 66, PRINTER'S No. 124 RETURNED
WITHOUT APPROVAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Senate Bill No. 66, Printer's No. 124, entitled "An act making a deficiency appropriation to the Pennsylvania Institution for the Deaf at Mount Airy Philadelphia Pennsylvania."

The appropriation which would be made by this bill would be available only to cover a deficiency incurred during the biennium ending May 31, 1947, and not any accumulated deficiency from operations in prior periods. I am informed that the 1945-1947 deficiency will be about \$79,000. Since there is already available in Act 4A an appropriation to meet this deficiency, the appropriation in this bill would not be needed.

For this reason, the bill is not approved.

JAMES H. DUFF.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT
RESOLUTION RECALLING SENATE BILL No.
148, PRINTER'S No. 146

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 148, Printer's No. 146, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 12, 1947.

Mr. WOLFE. Mr. President, I second the motion.
The motion was agreed to.
The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

E. B. Beavers, Coraopolis.
John J. Cazenave, Pittsburgh, 5633 Penn Ave.
Miss Helena R. Corsello, Pittsburgh, 3800 Brighton Rd.
Leonard R. Dahlem, Pittsburgh, 137 Water St.
Miss Shirley Levine, Pittsburgh, 709 Berger Bldg. (19).
Robert W. McNeill, Pittsburgh, 900 W. North Ave., N. S.
Miss Madeline Venchiarutti, Pittsburgh, 392 Ingomar St.
Mrs. Edith G. Werner, Pittsburgh, 1923 Murray Ave.

DAUPHIN COUNTY

Mrs. Alma H. Neff, Harrisburg.

ERIE COUNTY

Mrs. Bertha L. Denning, Erie.
Mrs. Esther L. Travis, Erie.

LACKAWANNA COUNTY

Robert Brown, Scranton.
John E. McDonald, Scranton.
Thomas M. Nolan, Scranton.

LEHIGH COUNTY

T. S. Shiplee, Allentown.

MONTGOMERY COUNTY

Miss Anna E. Tinsman, Lower Merion Twp., 239-241 E. Lancaster Ave., Ardmore.

PHILADELPHIA COUNTY

Mrs. D. F. Campbell, Phila., 2001 N. 63rd St. (31)
George A. Gehring, Phila., C. H. Wheeler Mfg Co., 19th St., Lehigh & Sedgley Aves.
Henry Happ, Phila., 2912 N. 6th St. (33)
Mrs. Lucille V. Price, Phila., 154 N. 15th St. (2)
Miss Irene L. Taylor, Phila., 18th St. & Allegheny Ave.
Miss Elsie L. Waters, Phila., 510 Market St. National Bank Bldg.

POTTER COUNTY

G. A. Houghtaling, Galeton.

SCHUYLKILL COUNTY

Mrs. Rose Maff, Rahn Twp., 900 E. Broad St., Tamaqua.

WESTMORELAND COUNTY

A. Dean Heasley, Vandergrift.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. WOLFE, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 381, entitled:

An Act to further amend subsection (f) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," increasing the number of members of The Advisory Health Board, requiring one of such members to be a licensed dentist, and one to be a licensed pharmacist.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

Mr. JASPAN. Mr. President, and members of the Senate the fraud perpetrated on the unsuspecting public by dealers in automobiles and automobile finance companies has assumed gigantic proportions. Fortunately, The Philadelphia Inquirer has brought to light the methods used by the unscrupulous automobile dealers and finance companies, and to give you an idea of what has been and still is taking place every day before our very eyes, I read from an editorial appearing in The Philadelphia Inquirer dated May 11, 1947.

"Stop the Auto Finance Gyps by Passing This Bill

"There is one bright feature to the auto finance swindle

which The Inquirer has exposed as a companion-piece to the new-used car racket; It can be swiftly ended by passage of a bill now before the State Senate.

"The profiteers who have been extorting huge sums from veterans and other persons of moderate means who go to them to finance their car purchases are deathly afraid of this bill.

"They are fighting it desperately at Harrisburg and despite its passage by the House, without a dissenting vote, they hope, if not to defeat it or recommit it, at least to extract its teeth or otherwise weaken it before its final passage.

"This newspaper has shown during the past week the vicious ramifications of the 'bonus' system whereby persons who need a new car quickly are mulcted from \$500 to \$1000 above the list price. Those who refuse to engage in under-counter deals with certain dealers or who cannot afford to pay the extra price exacted on the used car lots, for brand new cars very often find themselves at the bottom of dealers' lists, compelled to wait indefinitely for deliveries.

"The victim of the bonus deal is frequently the victim also of the finance company gyps. Wishing to spread payment on his newly purchased car over a period of months—having paid much more than the legitimate price for it—he falls into the hands of the unscrupulous firms who pyramid interest fees sometimes as high as 150 percent.

"All sorts of extra charges are presented so that customers frequently pay hundreds of dollars more than they should for the finance services.

"It is this practice that the bill in the Senate would eliminate by placing a legal ceiling on interest rates, by requiring a license for all financing firms and by making it necessary for them to present to the customer a detailed contract showing plainly how much he is paying and what he is receiving for the payment.

"The auto finance syp should be stopped. The way to stop it is by enactment of the Lichtenwalter-Sorg bill at Harrisburg."

Mr. President, this is hardly credible, but definitely the truth. Who are the victims generally of the brazen conspiracy to gouge and exact unconscionable sums of money? The wage-earner, the G. I. boys, the professional man and many others who need automobiles in the pursuit of their business. Sooner or later thousands of those mentioned, unable to pay the extortionate rates, will be forced to abandon their cars, lose everything they put in their cars, and still have judgments entered against them for unpaid balances, and their worldly possessions subjected to attachment. I term it black-jacking, and to put it in milder language—usury.

Usury—an obnoxious term, although today more or less legalized—has always been regarded as the curse of humanity. From the time of Moses up to today the prohibition of usury has been constant in all ages and all countries. Despite our seeming advance in civilization, the slimy vultures who feed upon the misery and misfortunes of the wage-earner are just as rapacious in their greed as ever. Usury has been prescribed as a sin and an evil since time immemorial. The Bible, Papal edicts and royal decrees have banned it from the moral codes of humanity. Greater than the sin of usury

is its appalling economic waste and the moral servitude it imposes upon a poverty-stricken citizenry. Let us once and for all outlaw them. It can not happen, too soon.

The Philadelphia Inquirer has launched a vigorous campaign against these slimy vultures. It has awakened an aroused citizenry, and further crystalized public sentiment in favor of strong and immediate action against these auto finance companies who have been bootlegging blood money. It is our job now. Let us pass the Sorg-Lichtenwalter bill without delay. The bill is the result of about eighteen months' investigation, in which several of our members participated. Every day's delay means the loss of thousands of dollars to our people.

Now, with respect to the purchase of new cars? It was my impression that with the departure of O. P. A. control, black-marketing would come to an end and new cars could be bought at list price. But it was only wishful thinking. Black-marketing is rearing its ugly head and reappearing in different forms, excepting that it is now more vicious, and further, is being practiced with immunity. Unfortunately, there is no law on our statute books to protect prospective purchasers of automobiles against the deliberate hiking of prices of new cars by either new or used car dealers. Without elaborating, purchasers of cars are paying from \$500 to \$1,000 above list price.

The automobile industry has faithfully promised to curb the practice. Committees are being organized by new and used car dealers to break up the hijacking methods used by parasitic dealers. I do not doubt or question their faith and integrity. However, that in itself is not sufficient. In my mind, a law is needed with sufficient teeth in it to correct the existing evils. Therefore the bill which I am about to introduce makes it unlawful for any automobile dealer to sell an automobile or automobiles at a retail price above that fixed by the manufacturer or the automobile industry. Any violation calls for a fine of \$5,000 or one year's imprisonment, or both, at the discretion of the Court.

This bill simply sets up safeguards to protect the public against unwarranted and arbitrary increases as imposed by the dealer.

BILL INTRODUCED AND REFERRED

Mr. JASPAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN read in place and presented to the Chair Senate Bill No. 724, entitled:

An Act making it a crime to sell or offer for sale any automobile at a price in excess of the manufacturer's retail price thereof.

Which was committed to the Committee on Judiciary General.

PERMISSION TO ADDRESS SENATE

Mr. RAHAUSER asked and obtained unanimous consent to address the Senate.

Mr. RAHAUSER. Mr. President and members of the Senate the civic organizations of my district and the Women's Clubs of Allegheny County Voters were in-

formed by the press of last week that Senate Bill 190, the Farrell bill, providing for the repeal of the archaic margarine laws, was coming up for public hearing this week, and, while a public hearing is generally advantageous, they were particularly interested that this bill should not be recommitted. The Democratic minority of this Senate likewise feels if this bill were recommitted, that would be its end.

Democratic minority feeling on this matter was intensified last week by the appearance on our desks of some literature from interests outside this state, and, while we are always willing to listen to any facts and figures relative to state matters, we are definitely opposed to propaganda from outside the state coming into this Senate and attempting to influence members of this body.

We are definitely opposed to the type of propaganda placed on our desks by the Milk Producers Federation of Washington, D. C.

First, it is scandalous propaganda, containing no facts or figures relative to the issue.

Second, it is propaganda against oleomargine, instituted by those companies who, a few years ago, used to mix tallow or lard and other similar products of a low cost with butter and sell it as a pure product.

These out-of-state interests have no merit for their opposition to Senate Bill 190, but they will use every available method to kill this beneficial legislation.

I have shown, from time to time, that the interests of the farmer will not be affected by the Farrell Bill, but I can readily see how those interests outside the state may be affected.

We are definitely opposed to their influence and their attempt to have Senate Bill 190 recommitted or postponed on the second-reading calendar.

If there is any procedural need to have a bill before the Committee of Agriculture for public hearing, they already have Senate Bill 85, a bill which I introduced for the purpose of accomplishing the same thing as Senate Bill 190, namely the repeal of the archaic margarine laws. The fact that the Committee on Agriculture had done nothing from February 4th, when I introduced my oleomargarine bill, until the present time, is sufficient proof that, if Senator Farrell's bill would be recommitted to that committee, this committee would, likewise, do nothing on that bill.

Pennsylvania statutes on olemargine are archaic, and there is no need for them.

There is no need for Senate Bill 644, which is designed to put more archaic legislation on the statute books of Pennsylvania. There has been a complete change in the wholesomeness of the product and the economic factors that deal with this product since the enactment of these statutes.

Previously it was pointed out that, where once the dairy farmers depended on the production of butter to consume the milk supply of this state, today the demand for milk products, in their many forms, is far beyond the state's supply.

The nutritious quality of margarine has changed more than the economic factors that aroused opposition to this food in the early 1880's.

In 1887, in *Powell v. Pennsylvania* (114 Pa., 265) the Supreme Court said:

"That most kinds of oleomargarine butter in the market contain ingredients that are or may become injurious to health. The Court can not say, form anything, of which it may take judicial cognizance, that such is not the fact."

Sixty years ago this was the thought back of the legislation on margarine. Today, the best known food experts recommend its use. The Council of Foods and Nutritions report, 16th April, 1944, Dr. George A. Anderson, states:

"The fact that margarine is lower in cost to produce than butter is nutritionally important, and attempts to stigmatize it, or restrict its distribution, are undesirable."

The Committee on Public Health Relation of New York Academy of Medicine, 1st February, 1943, said as follows:

"In order that the health of the population may not be impaired by the adoption of a diet insufficient in fats and fat soluble vitamins, the committee recommends that the major distribution and consumption of oelomargarine be encouraged."

It further goes on to show how margarine, which contains a large quantity of whole milk, contains vital food elements which are not present in butter fat. It states that whole milk possesses proteins of excellent quality and it is an excellent source of certain inorganic salts needed in the diet, particularly such as calcium and phosphate.

The courts, in contrast to their findings in 1887, in the appeal in which the fees on oleomargarine were declared unconstitutional, in 92 Commonwealth Docket 1946 in their "8" and "9" findings, stated as follows:

"8. Oleomargine or margarine is a pure, wholesome and nutritive article of food, and is made from ingredients, all of which are pure, wholesome, and nutritive.

"9. Oleomargarine or margarine is a well-recognized and established article of food and is sold in competition with, but not as a substitute for, other articles of food."

In 1887 whole milk was not a basic constituent of this product; today it is.

In 1887 there was no such thing as Vitamin A content; in oleomargine today each pound of margarine contains at least 9,000 units, with most of it containing 15,000 or 20,000 units per pound.

Why should this Senate enact similar legislation on this product when conditions have changed so materially in the past sixty years.

Why should this Senate attempt to hamper the distribution of a low cost food of such valuable nutrition, especially today when this body should be doing all in its power to decrease the cost of living on every item of food.

It is claimed that barriers are needed so that the public can purchase food properly labeled. This, likewise, is unfounded. First, the Pure Foods Act of 1909, P. L. 520 made this a provision. Products that compete are today sold properly labeled.

In the sale of cereals we have competing commodities. No license fees or troublesome reports are needed. Corn Flakes and Wheaties, or the several types of bran are sold under their proper labels.

In the shortening field there is Spry, Crisco and Lard.

There is no complaint that these products are sold as substitutes and no license fee is needed for the public protection in this matter.

Relishes of the same basic constituent are sold under their labels without any complaint that the public is deceived.

Jellies and sperads of many kinds are required to be labeled, yet there is no hindrance placed on their distribution.

Hundreds of other foods are required to be labeled but no license fees or troublesome reports are imposed on these products.

The Supreme Court of Pennsylvania, in White's appeal (287 Pa., 259, at page 266) set forth very well the attitude of the Democratic minority of this Senate on this subject, wherein the Court stated:

"The power to thus regulate does not extend to an arbitrary, unnecessary or unreasonable intermeddling with the private ownership of property, even though such acts be labeled for the preservation of health, safety and general welfare."

There must be some reason for the use of the "general welfare" clause.

Certainly there is none in the case of margarine. This was clearly pointed out by the Court in No. 92 Commonwealth Docket, 1946—

"* * * And the fines collected from 1931 to 1946 ranged from nothing in four separate years to \$300, in no year exceeding \$300; so that if the fines in any way reflect the amount of time and energy expended by the Department, the fees are outrageously unreasonable.

"We have found that the full time of no one man is required to enforce the oleomargarine statute, and five of the agents assigned for only part time for the seasonal enforcement of both the oleomargarine and the carbonated beverage statutes. Furthermore, by no process of imagination, could one-tenth of the amount collected in fees be required for the enforcement of the oleomargarine statute, * * *"

The fact that there is no need for this legislation must be recognized by the Department of Agriculture when no full-time man is required to enforce the oleomargarine act.

The Supreme Court has never hesitated to declare an act invalid where changed circumstances have rendered the statute invalid, and we here in the Senate should not hesitate to repeal an Act that is no longer in accord with present circumstances, an Act which both the changing economy and modern science has rendered obsolete.

Justice Holmes said, in *Chastleton v. Sinclair*, 264 U. S. 543, 547:

"A law depending upon the existence of an emergency or other certain state of facts to uphold it may cease to operate if the emergency ceases or the facts change even though valid when passed."

Our courts, likewise, have stated the same process, in *Kittanning Boro. v. Nat. Gas Co.*, 239 Pa. 210, 214—wherein it said as follows:

"As the case then stood we can understand how the learned court felt constrained to follow the rule of these cases, but according to our view of facts of the present case are substantially

different from those cited and relied on. * * * Under these circumstances we think the case should have been considered upon its merits in the light of the evidence produced at the trial and that it was not ruled by former cases in which a different state of facts was presented."

These principles must certainly apply to the archaic margarine statutes and certainly this body should not enact legislation such as Senate Bill 644, that was outdated forty years ago and most certainly there is no reason to recommit Senate Bill No. 190, whose only purpose it is to repeal outdated legislation, such as legislation that our sister state of Ohio passed only a few days ago. Certainly, let us keep up to and abreast of our sister state.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I followed with a great deal of interest the prepared statement of the gentleman from Allegheny, Senator Rahauser. When he speaks, Mr. President, of rushing through this Senate some sort of legislation that takes off all controls on oleo without any consideration whatsoever, I think, Mr. President, he recommends that we do something impossible.

I am not interested in a butter or milk lobby or an oleo lobby, Mr. President, but I do think the representatives of the citizens of this great Commonwealth should take the necessary precautions to determine for themselves whether or not some sensible regulation of the oleo industry is necessary in this Commonwealth of Pennsylvania.

In line with that, Mr. President, I would like to read, if I may, for a few minutes from the book, "Beef, Veal and Lamb Operations of the American Meat Institute," published in 1945.

To begin with, Mr. President, this is a pro-oleo publication. The meat packing industry, as you probably know, is engaged in the manufacture of oleo from animal fats. If I may, Mr. President, I would like to read for a moment something about the early history of oleo; I really did not know this myself until I happened to pick up this book the other night.

"Margarine dates from the time of the Franco-Prussian War of 1870-71. During the siege of Paris, Napoleon III offered prizes for a spread for bread which should relieve the starving Parisians. Such an article had been developed by Hippolyte M'ege in 1869, and he received the prize which had been offered by Napoleon for the invention.

"His process is said to have been essentially as follows: He heated finely-chopped beef suet to about 115° F. with water, carbonate of potash, and fresh minced sheep's stomach. At this temperature, the pepsin from the sheep's stomach dissolved and separated the animal tissue from the oil which he then removed and cooled slowly, thus causing a portion of the stearine to crystallize. He then separated the crystallized stearine from the oleo by pressure, and used the oil for butter-making. He churned about 10 lbs. of this fat with 4 lbs. of milk and 3 lbs. of water and a trace of annatto for color."

I submit, Mr. President, milk was in the original oleo, contrary to what the gentleman said, if I heard him correctly. Now, Mr. President, I just want to read a further paragraph from the same publication. Speaking of the

manufacture of oleo and the importance of proper supervision, it has this to say:

"Emphasis has been placed on the necessity for the constant exercise of care in the selection of the raw materials entering into the manufacture of margarine. (so says this publication, Mr. President.) In addition to this, it seems well to emphasize the fact that ordinary methods of sanitation are not sufficient for the margarine factory. In preserving pure cultures in the milk room, one must constantly guard against the development of wild cultures and of contamination from foreign sources. Constant checks must be made upon the cultures, and it must be apparent that in any process which depends upon bacteria to give the desired flavor—which regulates the acceptability of the product—special watch should be kept to guard against foreign bacteria of all kinds.

"Margarines are susceptible to infection by milk spores and bacteria present in the air. These are able to subsist on the carbon present in fatty acids and glycerides; some are able to saponify glycerides and some are responsible for undesirable flavors in other ways. Infection from the air can be minimized by filtering all air entering the plant. Supplies must be so handled as not to be a source of infection. Sodium hypochlorite is used generously as a sterilizing agency."

Mr. President, I do not think I have to read any further to convince anyone that if this Senate of Pennsylvania is going to do its duty, it should conduct this public hearing and allow the Secretary of Agriculture and others to come before us and tell us what measures we should take, so that the people of Pennsylvania may get a clean, wholesome pure package of oleo.

Mr. WADE. Mr. President, on various and sundry occasions I, with my colleagues in the Senate, have listened to the very interesting and appealing prayer of the gentleman from Allegheny for the votes the women's clubs through the oily processes of oleomargarine and butter, but this afternoon, in addition to the very able discussion of my colleague from Delaware, Senator Heyburn, I should like to read into the record a little bit of the history of a great industry of Pennsylvania that might be affected adversely by the ill-advised passage of legislation at this time.

The Senator from Allegheny, together with his colleagues, have come before us at various and sundry times and told us of the importance of legislation for or against the down-trodden labor unions of the Commonwealth of Pennsylvania, in the steel industry, or the coal industry, or the other industries of Pennsylvania, and in that I join. It is a very momentous problem, it is a big industry problem, it is a big state problem, it is a big problem.

Last week's figures, released by the Bureau of Agricultural Economics, show that 5,800,000 independent American farmers own the biggest private industry in the world, and that 37 per cent of its citizens derive their income from this great industry known as the agricultural industry of America. The value of their land, buildings, crops on hand, live stock, machinery and other equipment has passed the 90 billion mark in America. Their output for the year 1946 exceeded 25 billion dollars, against 5 billion dollars for the great steel industry of America, and 3 billion, two hundred million dollars for the great automotive industry of America. It is odd to note that in

Pennsylvania exactly the same proportion of our citizens derive their income as they do nationally; in other words, 37 per cent of the people in Pennsylvania derive their entire livelihood from agricultural and, odd as it may seem, in the county of Cumberland 37 per cent of the people derive their income from the same source.

We all realize, Mr. President, the importance of the dairy industry in Pennsylvania. In the number of milk cows we rank tenth in the United States. In the value of our cows we rank fifth, with a total value slightly in excess of \$200,000,000. We also rank fifth in the nation in the value of dairy products, with a figure that is also close to half a billion dollars.

The farmers of Pennsylvania obtain more than one-third of their gross income from the dairy industry. It is readily seen that any decline in cash receipts from this very important branch of our agriculture not only would affect the farmers, but would affect the consumers as well. The situation with regard to consumers of one of our most important food products could become very serious. I need not emphasize the fact that any decline in demand for dairy products means a corresponding decline in dairy farms and dairy cattle.

A few years ago, Mr. President, we all experienced the serious situation created by an unstable market for dairy products, which was almost tragic to this greatest of all American industries. In Cumberland county alone we have over a thousand dairy farms. The value of dairy products sold in Cumberland County is \$3,000,000 annually. That, too, is very closely paralleled by the great dairy industry in the home county of our colleague, who now hails from Allegheny County but I venture to say that if he could recall the early days of his lifetime, that therefrom his mother and father, who lived on a farm, derived most of their income, and that the cost of his early education was met because of this great industry that we have in Pennsylvania.

I join with my colleague from Delaware county in agreeing that we are not afraid for the dairy industry in Pennsylvania because of this product known as oleomargarine, but we are intensely interested in the future health of not only the citizens of Pennsylvania, but particularly the young growing people of Pennsylvania, those that need strong minds and strong bodies to meet the problems of tomorrow.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President and members of the Senate, I did not intend to enter into any debate relative to the merits or demerits of any oleo bill before the Senate and appearing on the calendar, but the remarks of the gentleman from Cumberland were so obviously misplaced that perhaps a little clarification would not hurt at this time.

The gentleman from Cumberland suggested that the gentleman from Allegheny, in making his plea for an oleo repeal bill, or an oleo license repeal bill, one that would remove all restrictions from the manufacture and sale of this product, is appealing to the women's clubs for votes.

Well, Mr. President, I have been in the Senate a good many years, and in the House a few years, and if my

memory serves me correctly, the Democratic party has been working for the repeal of this particular type of legislation long before any women's clubs in Pennsylvania ever thought of endorsing it, long before any organized group ever planned any fight whatsoever to repeal this type of legislation.

Be that as it may, Mr. President, I do not think the gentleman from Cumberland ought to be allowed to go entirely scott-free from the accusation that he, too, may be playing for the grange votes. It would be interesting, of course, to the members of the Senate to analyze that particular angle.

The farmers out my way, Mr. President, who are not members of an organized group, that I talked to, are pretty much users themselves of oleo. It would be a surprising thing if the members of the Senate were to investigate and find out how many farmers in their respective districts actually use oleo fats in their homes. A great many persons fail to realize that we have reached a new stage of economy in this nation. The question of whether the income is greater from butter that is being supplanted by the growing of vegetables that are turned into oleo, or whether the amount of income is greater from direct dairy products, is one that an economist must answer and not by members of the Senate taking haphazard guesses.

We all know this, that out of 175,000,000 pounds of butter consumed in the Commonwealth of Pennsylvania per year, 150,000,000 pounds of that butter are imported from outside the state line. We all know that in the state of Pennsylvania roughly 22 per cent of all milk and milk products are imported into the Commonwealth of Pennsylvania from outside of its borders. We all know that the consumption of this very healthful food product and agricultural product is far beyond any amount conceivably raised or produced in the Commonwealth of Pennsylvania. We all know, too, that many working men and their families are deprived of a decent spread or a decent butter product because they can not afford the exorbitant prices being charged today. There is no comparison and no relationship between the price of butter, as a finished product put upon the table of the working man, and the price that butter brings to the farmer as the crude raw product that he produces upon his farm.

The question is not one of farm prosperity, Mr. President. It is a question of whether or not this Senate is going to recognize the very obvious fact that in this state of Pennsylvania, and in this nation of ours, we have obviously upheld the hands of those who have deprived the people of this state and nation of a very worthwhile element of food.

We are questioning now the free-trade element in that element of food, and not whether we are taking away from any citizen or group of citizens some of their income, or whether we are increasing the income to others. That is not the question at this time, because the problem, as raised by the gentleman from Delaware, Senator Heyburn, of the \$5 license fee, whether that will in any way deter the use or the sale or the manufacture of oleo is the question. I doubt that it will. I do not think his bill will hurt anyone in the matter of the manufacture or sale of oleo but it is a question primarily of whether one

group of citizens have a right to deprive another group of citizens of a worthwhile food product, and I say to you all here in this room this afternoon, that this Senate will be shirking its duty if it does not follow at least some semblance of the dictates handed down by the Supreme Court of the State of Pennsylvania when they very wisely outlawed the exorbitant license fees already assessed against this industry.

As to the question of whether we are playing for a few votes, I might say that as far as we are personally concerned, the matter of votes does not enter into the picture, because long before any organized group in this Commonwealth determined to come out and fight for this type of legislation, we were out in the forefront battling to remove the barriers that are keeping from the tables of a great many citizens of our Commonwealth and their families a very substantial food product.

BILLS INTRODUCED AND REFERRED

Mr. WADE read in his place and presented to the Chair Senate Bill No. 725, entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries.

Which was committed to the Committee on Judiciary General.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 726, entitled:

An Act to amend section ten of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents

and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to the fiduciaries concerned with the estates of decedents," by authorizing the orphans' courts to prescribe by general rules the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

Which was committed to the Committee on Judiciary General.

Mr. HARE read in his place and presented to the Chair Senate Bill No. 727, entitled:

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. HOLLAND. Mr. President, on February 3rd, Senator Lane and I introduced Senate Bill No. 64, requiring persons employed to promote or oppose legislation to file statements with the Secretary of the Senate and the Chief Clerk of the House. This bill was referred to State Government and there it still remains.

Since the introduction of this bill, the influence by certain lobbyists on legislation has become public scandal in some of the state legislatures now in session.

I quote from an editorial appearing in the Philadelphia Evening Bulletin:

"LOBBY TROUBLE IN JERSEY

"New Jersey's Governor Driscoll, who built a reputation for forthrightness, while Alcoholic Beverage Commissioner, is just as forthright in getting after members of the legislature and lobbyists. He wants the legislature

to compel lobbyists to register and file reports on what their activities cost during each session of the lawmakers. Moreover, he thinks there is room for improvements in legislative ethics, and there he is joined by Highway Commissioner Miller.

"Defeat of bills which the Governor advocated led to his insistence on action against lobbyists, and activities of legislators who are lawyers, in taking on clients interested in pending legislation, precipitated the lecture on ethics.

"Senator Farley of Atlantic County, is a member of the law firm which got a \$20,000 retainer from the Atlantic City racetrack, and was active in pressing legislation favorable to the track. Commissioner Miller points out that a legislator not a lawyer who accepts such a fee would be guilty of bribery. He sees no practical difference.

"If the Governor and Highway Commissioner are successful in correcting these practices in New Jersey, they will set an example for other states. They know they have a fight on their hands, but they aren't the kind of officials who run from it."

In past sessions of the General Assembly, there has been much talk about "influenced legislation."

Papers have, through editorials and news items, practically hinted that certain legislation was bought and paid for, with the result that people throughout Pennsylvania look upon the General Assembly with suspicion, and in some cases circumstances surrounding the passage or defeat of a bill invite criticism and suspicion.

The time to correct an evil in government is before the evil breaks into open scandal.

Scandals among public officeholders break down the public's confidence in our form of government.

The Congress if the United States, in the last session, recognized an evil in government, and passed an act to regulate lobbyists.

It is now time that the General Assembly of Pennsylvania opens the lobby door and exposes to public gaze, what lies behind that door.

"Invisible Government" has no place in a Democracy.

I spoke about a week ago about the Pennsylvania Manufacturer's Association maintaining rooms to entertain, and using this entertainment to influence legislation.

A few days later, the president of the Pennsylvania Manufacturer's Association, Mr. Mason Owlett, took me to task. I now ask Mr. Owlett, if the Pennsylvania Manufacturer's Association has nothing to hide or cover up, that they come all out for this legislation.

Quite recently advertisements over the signatures of the Pennsylvania Manufacturer's Association championed legislation supposedly for the good of the public.

This legislation will protect the public of Pennsylvania from legislation of any special interest by exposing the special interest influencing the votes of elected representatives of the people.

If, according to Mr. Owlett, the Pennsylvania Manufacturer's Association has nothing to cover up, he should be the first to prove to the people of Pennsylvania that they are willing to give an accounting of what they spend and on whom they spend it. That is all this legislation does.

The Pennsylvania Manufacturer's Association are not the only ones maintaining an extensive lobby in Pennsylvania. The Self-Insurers, through Mr. Linn, maintain

some very fine rooms, and I have been told that Mr. Linn is a very fine host and furnishes the best in everything.

The motor truck industry does a pretty good job in lobbying and has been under fire many times during the past sessions of the General Assembly. The effect of their pressure has been clearly demonstrated in this session.

Over a week-end, the truckers have influenced enough representatives to reconsider their votes in such quantities that the change of minds turned defeat into passage of the Box Car Bill of theirs.

The Pennsylvania Railroad is well represented. Mr. Ryder, their representative, is very solicitous for the health and needs of the members of the General Assembly. The Pew Interests, being part and parcel of the Republican Party, makes lobbying for Mr. Davis, just a little easier. Joe Pew spends his money during election time. I do not know whether Mr. Davis or Mr. Ryder will be the fifty-first Senator.

I am not opposed to lobbyists. I believe that the lobbyists representing interests, should be here. They are part of the system we work under. We should be in position to talk to them and hear their side of the argument.

Legislation should be considered on the merits, and the benefits to the people.

The bill I am introducing requires each lobbyist to report the name of his employer, the duration of his job, his salary and his expense account, and in addition quarterly reports are required, one by the individual lobbyist and the other by the organization employing him, listing money received and disbursed, legislation supported or opposed, and related data. These reports are open to the public. As low as ten dollars must be accounted for and on whom it is spent.

This bill proposes a fine of \$5,000 and imprisonment for not more than twelve months, or both, and a suspension of three years from lobbying. Whenever a second offense occurs, a fine of \$10,000 and five years imprisonment.

It seems to be the tendency today to go easy with the people who flaunt our government. The criminal element may use a persuader in the shape of a gun or a black-jack to secure their objective—money.

To me, the man or interests who uses lavish entertainment or gifts as a persuader to secure his objective something that can be turned into money by legislation is as much a criminal as the man who uses a gun to stick up his victim.

Too much legislation in America has been influenced by the "Money Bags."

The saying prevalent today that every public officeholder has his price must be proven a falsehood. We need a reassurance of faith in our form of government, and that faith must be protected from traitors within our political system. We must ferret these traitors out to public gaze.

This is what I endeavoring to do by this bill I am about to introduce. I am trying to bring back faith in government—I am trying to prove that democracy is not sold to the highest bidder, and that we are not a government with a dollar mark as our insignia, and that the

great majority of people in public office are honest and sincere public servants.

There is no reason why all of us should be tarred for a few. That is why the lobbyist's door must be wide open. We want no "Invisible Government." We want no legislation passed in hotel rooms. We want to know what monies are being spent by any interest, whether it be labor or capital, to influence legislation.

We want to find out on whom this money is being spent. Rumors are flying—some originating from good sources—these rumors must stop.

If there is nothing to hide, then this bill should be passed. If it is not passed, then the public of Pennsylvania can use their own judgment on what is going on in Harrisburg.

Let us put an end to "Invisible Government."

I forgot to add that the Republican Congressmen from Pennsylvania voted for this bill while they were serving in the Congress of the United States in the last session.

Messrs. HOLLAND and LANE read in place and presented to the Chair Senate Bill No. 728, entitled:

An Act providing for the regulation of lobbying; requiring registration of all lobbyists, keeping of accounts of contributions and expenditures and receipts thereof; reports and statements under oath, persons affected; and providing penalties.

Which was committed to the Committee on Education.

Mr. ROSENFELD read in his place and presented to the Chair Senate Bill No. 729, entitled:

An Act to amend article nineteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the establishment of free city colleges in school districts of the first class.

Which was committed to the Committee on Education.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 730, entitled:

An Act to further amend section thirty-two of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252); entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," further providing for local option in the several parts of a borough formed by the consolidation of two or more boroughs.

Which was committed to the Committee on Law and Order.

He also, read in his place and presented to the Chair Senate Bill No. 731, entitled:

An Act to add section five hundred four to the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-34 P. L. 15), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further providing for local option in the several parts of a borough formed by the consolidation of two or more boroughs

Which was committed to the Committee on Law and Order.

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year.

Which was committed to the Committee on State Government.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 733, entitled:

An Act to further amend section one hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the third

class shall not be created without the consent of the State Council of Education.

Which was committed to the Committee on Education.

Messrs. BARR and WALKER read in place and presented to the Chair Senate Bill No. 734, entitled:

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries, fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignments, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

Which was committed to the Committee on Judiciary General.

Messrs. HOLLAND and LANE read in place and presented to the Chair Senate Bill No. 735, entitled:

An Act to prescribe minimum wage and maximum hour standards to provide for the further determination and establishment of minimum wages by industry and to provide for enforcement of such provisions and for other purposes.

Which was committed to the Committee on Labor and Industry.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power, providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," validating certain expenditures.

Which was committed to the Committee on Finance.

SENATE BILL 129 REPORTED FROM COMMITTEE

Mr. WILSON. Mr. President, I ask for just a moment or two for the attention of the Chair and the Members of the Senate.

I desire at this time to personally report from the committee of which I am chairman, a joint resolution known as Senate Bill 129. This is an original resolution proposing an amendment to Article 9, Section 16 of the Constitution of the Commonwealth of Pennsylvania, extending the provisions thereof to include certain veterans

not hertofore within its provisions. That in itself is a simple matter.

However, the matters covered by this resolution are important, and there will be considerations to be taken up later, and the people of the state may be called upon later also to consider the same, as they have a somewhat similar resolution which has already been proposed and taken care of by this Senate.

Incidentally, I want to call attention to the fact that when once a resolution is introduced here like that, it means the starting of a thought, and the people should give it due consideration.

I wish at this time to explain that the members of my committee, every one individually, has been asked to pass upon this matter, Democrat and Republican alike has been asked by the author of this bill, Senator Wolfe, as to what he thought and what he would do, inasmuch as it was difficult to have a meeting of the committee on account of so many other important matters, and so Senator Wolfe personally interviewed these people, and I hold in my hand a paper which each one has signed, and again I say every member of that committee, including the chairman ex-officio, fifteen in number, have said "Senator Wilson, report that bill as committed."

Now I am adding just a word, and I hope I may not be out of place. I hope it will not be that somebody, immediately after this bill is reported for consideration from the Senate committee, thinks of some very important amendment that is vital to its necessity and usefulness and start in again to have the bill amended. I hope it is right; if it is not, like there seems to be the habit in the air now, do not lay it to me.

Therefore, Mr. President, I take pleasure in reporting, by unanimous consent and instructions of my committee, Senate Bill 129, known as a joint resolution proposing an amendment to the Constitution, as committed.

REPORT FROM COMMITTEE

Mr. WILSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WILSON, from the Committee on Constitutional Changes and Federal Relations reported as committed, Senate Bill No. 129, entitled:

A Joint Resolution proposing an amendment to article nine, section sixteen of the Constitution of the Commonwealth of Pennsylvania extending the provisions thereof to include certain veterans not theretofore within its provisions.

RESOLUTIONS

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE TAX AND REVENUE RAISING PROGRAM OF COMMONWEALTH AND REPORT TO NEXT SESSION OF THE GENERAL ASSEMBLY

Messrs. WALKER and DENT offered the following resolution which was twice read as follows:

In the Senate of Pennsylvania, May 12, 1947.

Whereas, The fiscal policy of this Commonwealth has been devised over a period of time in a piece-meal fashion;

causing conflicts and duplication of taxation on the same property on the one hand and omissions of taxation on the other hand, and

Whereas, The need of a more harmonious system and method of taxation, particularly with regard to the best method of equitably and effectually reaching all property and subject of taxation which should be required to produce revenue, is self evident, therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study and investigate the tax and revenue raising program of the Commonwealth with a view of promulgating a new and more efficient fiscal policy, and be it further

Resolved, That the Joint State Government Commission shall report its findings and conclusions to the next regular session of the General Assembly together with such proposed legislation as it may devise to carry out its recommendations.

REQUEST THAT RULE 39 BE SUSPENDED

Mr. WALKER. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT. Is there objection?

Mr. HOLLAND. Mr. President, at the beginning of this Session, Senator Stevenson, Senator Geltz and I introduced a bill patterned after a bill that was used in New York, to investigate the cost of government at all levels. I do not think this resolution goes far enough, because if we are going to treat this problem correctly, we will have to treat it exactly as they did in the state of New York, when they took the cost of government from top to bottom, and found that the cost of overlapping government was so enormous, and that was where the tax money was going, where it was found that certain politicians at certain levels of government would have to give up their prerogatives, and the result was for instance, in the highway department, they would have had to go all the way down to the lowest governmental level. The same thing also applied to the health department, they would have to go all the way down to the lowest level, and also the same way in inspection, weights and measures, it was a question of overlapping government, which was destroying the services that we should be given, because the moneys are being used at all levels for the same type of services.

Mr. President, I do not think this resolution goes far enough, and I believe the bill which was presented by Senator Geltz, Senator Stevenson and myself should be considered because it is a better bill, patterned after what they did in New York, and it has been proven a success, and we can use the knowledge they obtained out of their investigation in New York and could use that in the state of Pennsylvania.

I know taxes will come down not only at the level of the state government but also at the lowest level of government, because too much money is being wasted on services which are not related to the level of government that is given it.

The PRESIDENT. Does the Senator from Allegheny object to immediate consideration of the resolution.

Mr. HOLLAND. I do, Mr. President.

The PRESIDENT. There being objection, the resolution is referred to—

Mr. DENT. Mr. President, before referring the resolution I might suggest to the gentleman from Allegheny

that this resolution does not deal with the cost of government; it deals entirely with the subject of a tax base, in an attempt to get rid of the out-moded tax system we have in Pennsylvania.

We are trying to pass a resolution that will create a commission inside of the Joint State Government Commission that will present to the next session of the Legislature recommendations on revenue and revenue only. It does not interfere at all with the bill previously introduced by the gentleman from Allegheny and his colleagues. I believe if the gentleman from Allegheny will study the resolution, he will withdraw his objection to immediate consideration, because the subjects do not conflict and I am sure that he, too, would like to see Pennsylvania on a sound tax basis.

Mr. HOLLAND. Mr. President, I am sorry that I must differ with the minority leader of my party here on this very important resolution. There is no use of our going into a study of the sources of income and expenditures of all state moneys unless we do the job from all levels of government. They are all related. I regret very much that I overlooked the fact that Senator Blass is a co-sponsor of the other bill I mentioned which was presented.

They are all related and there is no use studying just one form of government; why not go into the counties, boroughs, townships, cities, and see about the services and the moneys they are spending there for certain services that they should not be spending.

I have pointed out before time and time again in this Senate, that the people who own homes in Pennsylvania are spending \$8,000,000 for the trucking industry and nothing is done about it. We even go further in this current budget, which appropriated \$4,000,000 for the Pennsylvania motor police out of new taxes instead out of the motor vehicle fund.

I do object, Mr. President, and I do not intend to withdraw my objection, because I am not for making any investigation unless it takes in all levels of government, because all levels of government are related, and that is where our money is going, because there has been a waste of money at different levels by overlapping services.

Mr. WALKER. Mr. President, I have no desire to change the mind of the distinguished gentleman from Allegheny, but I just want to point out to him that several weeks ago there was a resolution adopted here on the floor of the Senate to refer to the Joint State Government Commission the subject of a study of the re-codification of the administrative code, which deals directly with the things the gentleman from Allegheny has been discussing.

This would be an additional study, which would deal with the fiscal picture of the Commonwealth, that portion of its governmental set-up. The purpose of the resolution was discussed at a meeting of the executive committee of the Joint State Government Commission and that is why we find bi-partisan sponsorship of the resolution, as it is to round out the study that we are trying to make.

I think the gentleman from Allegheny, Senator Holland, is in sympathy with what we are trying to attain. He may disagree very slightly with the modus operandi we are using—that is to get even with you oleomargarine farmers—but nevertheless we are trying to arrive at an answer to the problems the gentleman has raised and if he is disagreeing with the methods, all he is doing is delaying

action, and I would suggest to him, in all fairness, that we are trying to arrive at a new fiscal picture for the Commonwealth through the resolution just presented. We already have a resolution on the books giving the Joint State Government Commission the right to study, with a view to re-codifying the administrative code, and I think this would round out the picture.

I am sorry I did not have the good sense to submit the resolution to the gentleman before it was presented, so that he would have had opportunity to study it.

Mr. HOLLAND. Mr. President, I will submit to the gentleman from Allegheny, Senator Walker, what they did in New York tomorrow and let him make a study of it, and then maybe he will withdraw his resolution and accept mine.

Mr. DENT. Mr. President, I do not want to prolong this debate, but it reminds me of years ago when, in the halls of the Legislature, there was a very outstanding fighter for the people, at least until recently, when an analysis was made of his efforts in the House. Those of us who were interested in legislation pertaining to the ordinary citizens thought he was quite a champion, but somehow or other, every time there was a bill up to increase workmen's compensation rates he was always fighting for a few more dollars than what they were given in the bill at the time, and as a result of his great fight for the people, the workmen never received any increased benefits for a period of twenty-three years in the state of Pennsylvania. I am wondering if the gentleman from Allegheny is not losing sight of the fact that the subject he wants to cover could never be covered in toto by the Joint State Government Commission in a period of less than five years, and without an appropriation of less than half a million dollars.

We are only attempting to set forth for the next General Assembly a program of taxes that will take into consideration the various tax levels and the various taxable items in the Commonwealth of Pennsylvania. The matter of developing a method for spending that money is another problem, and deserves equal consideration.

However, with his objection so firmly entrenched in his breast, there is nothing we can do but bow to the inevitable.

The PRESIDENT. There having been objection, the resolution is referred to the Committee on State Government.

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE LABOR LAWS AND REPORT TO NEXT SESSION OF THE GENERAL ASSEMBLY

Messrs. DENT and HALUSKA offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, May 12, 1947.

In order to effectuate a better understanding of the problems affecting both Labor and Industry and to bring about a more harmonious and cooperative meeting of Labor and Industry for the general welfare of the people of this Commonwealth, be it

Resolved, That the Joint State Government Commission is hereby directed to study and investigate the labor laws of this State and of other States, the advantages and disadvantages, merits and effects of such labor laws in this State and in other States and report its findings and conclusions to the next regular session of the General As-

sembly together with such proposed legislation as it deems necessary to carry out its recommendations.

SENATE CONCURRENT RESOLUTIONS

TIME OF NEXT MEETING

Mr. CARR, offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, May 12, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 19, 1947, at three o'clock, p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, May 19, 1947, at three-thirty o'clock, p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to House of Representatives for concurrence.

GENERAL ASSEMBLY EXPRESSES APPROVAL OF THE EMERGENCY LEGISLATION BEFORE THE CONGRESS OF THE UNITED STATES TO PERMIT THE ADMISSION OF DISPLACED PERSONS TO THE UNITED STATES OF AMERICA

Messrs. RUTH and CARR offered the following resolution which was twice read and referred to the Committee on Constitutional Changes and Federal Relations:

In the Senate of Pennsylvania, May 12, 1947.

Whereas, The glory of our great nation is in part our tradition as a land of hospitality, a haven for the oppressed and persecuted; and

Whereas, The plight of hundreds of thousand of displaced men, women, and children, natives of Poland, Latvia, Lithuania, Estonia, Finland, Yugoslavia, Greece, France, and various other countries, now in European camps presents a moral crime of the greatest magnitude, challenging the conscience of all fair-minded peoples; and

Whereas, The composition of this unhappy group of 850,000 human beings, of which 80% are Christians and 20% are Jews, transcend all bounds of creed and nationality, demanding that all Americans of good faith open their hearts to assist in the resettlement of these human being where they can begin life anew without fear of religious persecution or political reprisal; and

Whereas, Legislation is now before the Congress of the United States as House Bill No. 2910 for emergency legislation to admit "America's fair share" of these human being to the United States therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby expresses its unqualified approval of the emergency legislation before the Congress of the United States to permit the admission of 400,000 displaced persons to the United States of America at the rate of 100,000 a year; and be it further

Resolved, That a copy of this resolution be transmitted to all the Senators and Representatives in Congress from the Commonwealth of Pennsylvania.

REPORT FROM COMMITTEE

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LLOYD H. WOOD, from the Committee on Public Health and Welfare, reported as amended, Senate Bill No. 493, entitled:

An Act to further amend clause Sixth of section three of the act, approved the thirty-first day of May, one

thousand nine hundred thirty-three (P. L. 1116), entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale, and having in possession with intent to sell, of adulterated or deleterious ice cream, custard, ice cream, french ice cream, french custard, frozen custard, sherbert, ice and fruit ice, including coated ice cream and the coating thereof; fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbert ice and fruit ice, and to prevent the sale of imitation ice cream and defining said imitation ice cream; providing penalties for the violation thereof; and providing for the enforcement thereof," by further defining adulteration in certain cases.

CALENDAR

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 219, as follows:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article eight of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding thereto after section eight hundred eleven a new section to read as follows

Section 812 District Committees Whenever two or more members of a political party shall be elected or appointed as the rules of the party may provide as members of a political committee to represent the members of such party in the respective election districts such members shall constitute a political committee of said political party to function within such election district

On the question,

Shall the bill pass finally?

Mr. KEPHART. Mr. President, I have been asked to explain this bill and I will attempt to do so.

As I understand it, under the present law, vacancies in the offices of election officers, which include Judges of election and inspectors, after a primary, are now taken care of in a way that is rather cumbersome, in fact it does not take care of them at all, because what is now done is, if a man dies after he has been nominated, his name remains on the ballot and he is voted for even though he is dead and then afterwards it is necessary to go into court

and petition the court to fill the vacancy, and that applies to withdrawals or removals from the vicinity.

What this bill does is to provide that the committee-men in the division, and there are thirteen hundred divisions in Philadelphia, are an election committee, and they may fill such a vacancy and it can be taken care of in the neighborhood, where it should be taken care of, without going through this cumbersome procedure, which I have just outlined.

This is to correct a situation caused by the inadequacy of the present law.

Mr. STIEFEL. Mr. President, I have listened with great attention to the explanation of the gentleman from Philadelphia, Senator Kephart. Why not embody a brief statement reflecting that explanation in the bill, and there will be no doubts as to the purposes of this bill? As the amendment now reads, something remains unsaid. That is the reason why my colleagues on the minority side are somewhat fearful lest there is some hidden motive in this bill, and for that reason I would suggest to the proponents of the bill that they refer it back to committee for the purpose of amendment so as to incorporate in this bill the reason why the amendment is suggested.

Mr. BARR. Mr. President, may we be at ease a moment?

(The Senate was at ease.)

And on the question, recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Hare,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Doehla,	Letzler,	Taylor,	Wood, L. H.,
Farrell,	Lord,	Tyler,	Wood, T. N.,

NAYS—16

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauser,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resume the consideration of Senate Bill No. 415, as follows:

An Act to amend sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender of abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons as-

sociations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon person associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 501 and 502 of the Act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for

such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commissions and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" art hereby amended to read as follows

Section 501 Mandatory Systems of Accounts The commission may after reasonable notice and hearing establish systems of accounts (including cost finding procedures) to be kept by public utilities or may classify public utilities and establish a system of accounts for each class and prescribe the manner and form in which such accounts shall be kept Every public utility shall establish such systems of accounting and shall keep such accounts in the manner and form required by the commission The accounting system of any public utility also subject to the jurisdiction of a Federal regulatory body shall correspond as far as practicable to the system prescribed by such Federal regulatory body Provided That the commission may require any such public utility to keep and maintain supplemental or additional accounts to those required by such regulatory body and provided further that if a public utility as defined in paragraph (b) of clause (17) of section two of this act has with the approval of the commission or its predecessor acquired by purchase merger consolidation or otherwise property from another public utility it may record such property in its accounts at the consideration for which acquired and nothing in this act shall authorize the commission to require such public utility to record or to carry such property in its accounts at the original cost thereof when first devoted to public service and provided further that nothing in this section shall impair the authority of the commission to ascertain and fix temporary rates as provided in section 310 of this act or ascertain and fix the fair value of the whole or any part of the property of said public utility as provided in section 311 of this act

Section 502 Continuing Property Records The commission may require any public utility to establish provide and maintain as a part of its system of accounts continuing property records including a list of inventory of all the units of tangible property used or useful in the public service showing the current location of such property units by definite reference to the specific land parcels upon which such units are located or stored and the commission may require any public utility except one as defined in paragraph (b) of clause (17) of section two of this act to keep accounts and records in such manner as to show currently the original cost of such property when first devoted to the public service and the reserve accumulated to provide for the depreciation thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constiution, and were as follows, viz:

YEAS—29

Becker,	Heyburn,	Margie,	Tyler,
Blass,	Homsher	Rosenfeld,	Wade,
Chapman,	Kephart,	Scarlett,	Wagner,

Crider,
Doehla,
Farrell,
Geltz,
Hare,

Letzler,
Lord,
Mahany,
Mallery,

Snowden,
Stevenson,
Tallman,
Taylor,

Walker,
Wolfe,
Wood, L. H.,
Wood, T. N.,

NAYS—17

Barr,
Berger,
Chapman,
Dent,
DiSilvestro,

Haluska,
Holland,
Jaspan,
Klein,

Jane,
Leader,
Rahauser,
Ruth,

Stiefel,
Tarr,
Wilson,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 639, on final passage, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1046, as follows:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct

pharmacies providing for the revocation thereof and prescribing penalties is hereby amended to read as follows

Section 2 Upon application on a form to be prescribed and furnished it and the payment of a fee of two dollars (\$2.00) the State Board of Pharmacy shall issue a permit to conduct a pharmacy to such persons associations copartnerships or corporations as the board deems qualified to conduct such business Every corporation in applying for a pharmacy permit shall use its full corporate title which shall also be used on all labels All permits issued under the provisions of this act shall be exposed in a conspicuous place in the pharmacy for which it was issued and shall expire on the first day of July following the date of issue No permit shall be issued unless it appears to the satisfaction of the board that the management of the pharmacy is in the charge of a pharmacist registered under the provisions of the act to which this is a supplement All permit fees collected under the provisions of this act shall be paid into the State Treasury

Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahausser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Cridger,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Farrell,	Leader,	Stiefel,	Wood, T. N.,
Frazier,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 33, on third reading entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 80, as follows:

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian Gertrude Martin Rohrer as the State song of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The song "Pennsylvania" the melody and words thereof copyrighted in one thousand nine hundred thirty-one by a Pennsylvanian Gertrude Martin Rohrer the composer of the music and words is hereby adopted as the State song of Pennsylvania and shall be the official song for all public purposes

The words of said song are as follows

Verse I

Pennsylvania my native state to you we pledge our devotion

Pennsylvania our loyalty is boundless as the ocean

Verse II

Pennsylvania we thrill with pride to be your loyal descendants

Pennsylvania all hail to you the foundation of independence

Refrain

Pennsylvania Pennsylvania strong and true

Pennsylvania Pennsylvania hear our song to you

There is beauty in your mountains

There is peace upon your hills

And where-e'er I roam my only home is Pennsylvania

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I would like to ask the sponsor what the melody is of this bill.

The PRESIDENT. Will the gentleman from Lycoming, Senator Snowden, answer the question?

Mr. SNOWDEN. Mr. President, in answer to the request for the melody of this song, I am unable to do that, I am not a songster, but I can assure my worthy colleague this is a very lovely song, the melody is right. We heard it down in the committee room the other day and I think it is well worthy of being our state song.

Mr. DENT. Mr. President, I was all prepared to sing the song but I find now I have a copy of "Pennsylvania, my Pennsylvania," and that is not the song that we are studying and voting for this afternoon. I also have a copy here of another song called "Rolling Hills of Pennsylvania."

Mr. President, all three of these songs were written by people in my county and I am in an awful pickle, because I have here a letter from the author of one of these songs and I would like to read to the Senate what he says about this song.

"Dear John: Confirming our conversation of this afternoon while you were busy at my expense in that chair, I want to remind you of that state song.

"Pennsylvania My Pennsylvania" is far superior to any song that has been composed, inasmuch as it is singable and is strictly a word picture of Pennsylvania."

Mr. President, I have another letter from another boy in my county and he says his is the finest song ever written and Pennsylvania should adopt it because everybody could sing it.

Mr. President, I am not going to vote on this bill. I am just going to sit here and let the Senate decide which one of my constituents is going to have the honor of creating the official song for Pennsylvania, and I am proud of the fact that of the three songs that have been

written the authors all come from Westmoreland county.

The PRESIDENT. The Chair will take judicial notice of the fact that Westmoreland county is a part of Pennsylvania, no matter whether they have produced three songs or one song.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Geltz,	Mahany,	Tarr,
Becker,	Haluska,	Mallery,	Taylor,
Berger,	Hare,	Margie,	Tyler,
Blass,	Holland,	Rahausser,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Chapman,	Jaspan,	Scarlett,	Watson,
Cridger,	Kephart,	Snowden,	Wilson,
DISilvestro,	Klein,	Stevenson,	Wolfe,
Doehla,	Lane,	Stiefel,	Wood, L. H.,
Farrell,	Letzler,	Tallman,	Wood, T. N.,
Frazier,	Lord,		

NAYS—5

Heyburn,	Rosenfeld,	Wade,	Woodring,
Leader,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 202, as follows:

An Act to further amend section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical training and employment services to certain blind persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand three hundred twenty of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the

Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 888) is hereby further amended to read as follows

Section 2320 State Council for the Blind The State Council for the Blind shall have the power and its duties shall be

(a) To formulate a general policy and program for the prevention of blindness and for the improvement of the condition of the blind in this Commonwealth Such policy and program shall be modified from time to time as may be found necessary or advisable in the light of improvements in method and practice

(b) To make recommendations in accordance with such policy and practice to the several executive and administrative departments boards and commissions of this Commonwealth and to any public or private agencies therein which may be in any way concerned with work with or for the blind

(c) To cooperate with State and local agencies both public and private in taking steps to prevent the loss of sight in alleviating the condition of blind persons and persons of impaired vision in extending and improving the education advisement training placement and conservation of the blind and in promoting their personal economic social and civic well-being

(d) To act as a means for communicating with other State agencies public or private and with national agencies and to cooperate in efforts to procure an enactment of legislation regarding the prevention of blindness the improvement of the blind or the regulation of private agencies for the care of the blind

(e) To collect systematize and transmit to the Department of Property and Supplies for publication and distribution to other agencies information in regard to blind persons and persons of impaired vision in this Commonwealth including their present physical and mental condition the causes of blindness and the possibilities of improvement of vision their financial status and earning capacity their capacity for education and vocational training and any other relevant information looking toward the improvement of their condition

(f) To refer cases of blind persons or problems in relation to the blind or prevention of blindness to such agencies public or private as may be likely to deal most successfully with them

(g) To encourage the cooperation of all agencies public and private doing work for the blind in this Commonwealth and of the agencies whose work is related to the prevention of blindness

(h) To supervise the expenditures of State appropriations made to such agencies except in cases in which such supervision is by law within the powers or duties of some other administrative department board or commission

(i) To furnish or make available medical treatment surgical operations eye glasses and other necessary aids or services including transportation to needy blind persons or persons with impaired vision for the purpose of improving conserving or restoring their vision These services and aids shall not be furnished unless they are otherwise unavailable and in no case shall the total cost thereof exceed [one hundred dollars (\$100)] two hundred fifty dollars (\$250) per person

(j) To take any action and to adopt any regulations necessary to carry out the objectives [of paragraph (i)] of this section and in furtherance of those objectives to accept any grants or contributions from the Federal Government or any agency thereof

Any such grants or contributions shall be held by the State Treasurer as custodian for the State Council for the Blind and shall be paid out on requisition of the State Council for the Blind without further appropriation

(k) To improve the condition of the blind by supplying where not otherwise available home instruction and training for educable blind persons in the reading writing of embossed types in those handicrafts in which the blind can engage for remunerative or therapeutic value or for improving their personal civic and social well-being and in such other fields of endeavor as may be considered appropriate and beneficial

(1) For the purpose of improving the economic conditions of the industrially blind to furnish and make available medical and psychological examinations medical and surgical treatment hospitalization prosthetic appliances and aids vocational counseling and guidance prevocational and vocational training transportation for medical and training purposes maintenance for medical and training purposes placement in suitable employment with necessary occupational tools and equipment and post-placement employment adjustment these services to be made available to residents of the Commonwealth who have reached their sixteenth birthday and who have a thirty percent or greater loss in visual functioning and who are suffering from a static permanent employment handicap by reason of this loss of visual functioning

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 362, as follows:

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled "An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled "An act to fix the standard weights of con-

tainers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" is hereby amended to read as follows

Section 2 It shall be unlawful for any person to pack for sale sell offer or expose for sale in this State flour except in containers of net avoirdupois weights of five (5) ten (10) twenty-five (25) fifty (50) and one hundred (100) pounds and multiples of one hundred (100) pounds Provided however That the provisions of this act shall not apply to (a) the retailing of flours meals hominy and hominy grits direct to the consumer from bulk stock or (b) the sale of flours and meals to commercial bakers or blenders or for export in containers of more than one hundred (100) pounds or (c) flours meals hominy and hominy grits packed in containers the net contents of which are less than [five (5)] three (3) pound or (d) the exchange of wheat for flour by mills grinding for toll

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 438, as follows:

An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection one of section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" as amended by the act approved the ninth day of April one thousand nine hundred forty-five (P. L. 166) is hereby further amended to read as follows

Section 14 Certified Copies

(1) Subject to the requirements of sections 18 19 and 20 the department shall upon request furnish to any applicant a certified copy of any certificate or any part thereof except a certificate of birth in which case a partial certified copy shall be furnished containing only

the name date of birth place of birth and the filing date relative to such record. In compliance with any court order or upon the specific request of the applicant the department may issue a complete certified copy of any birth certificate and for official purposes upon request of any agency of the United States Government or the Commonwealth it may without charge verify directly to such agency complete information from the original record on forms furnished by the department.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 438, on third reading, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person

go over in its order,

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 494, as follows:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students there-

in regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three five eight and twelve of the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1040) are hereby amended to read as follows

Section 3 (a) Any person not holding a certificate of registration under the provisions of the preceding section and desiring to obtain a license under this act shall make application under oath or affirmation in such form as the Department shall prescribe. Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined that a test of his or her blood was made and that he or she is free from all contagious and infectious disease is a citizen of the United States or has filed a declaration of intention. The applicant at the time of filing such application and affidavit shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the department and shall present himself or herself at the next examination of applicants as hereinafter provided. The department shall thereupon proceed to examine such person after being satisfied that he or she is above the age of sixteen years free from contagious and infectious disease has a certificate showing graduation from an eighth grade school or its equivalent and has either [(a)] (1) studied the occupation for a period of two years covering a period of at least 2500 hours as a registered apprentice under a qualified and practicing barber as hereinafter provided or [(b)] (2) studied the occupation and trained as a registered student in a registered and properly appointed and conducted barber school under the instruction of a registered teacher for a period of at least six months and served at least eighteen months covering a period of at least 1500 hours as an apprentice with a registered barber or as a student in a registered barber school. Under no circumstances shall a student or apprentice receive wages directly or indirectly for service rendered. If the department is satisfied as a result of the examination the applicant is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the anti-septic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation and the knowledge of the Barber's Licensing Laws and rules and regulations of the department adopted thereunder it shall enter his or her name in the register hereinafter provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation or to teach in registered barber schools as the case may be. Any person holding a certificate as a teacher may practice as a barber in any registered barber shop.

(b) Any person who has been honorably discharged from service with the armed forces of the United States and who takes an examination for licensure under the provisions of this act shall have ten per centum added to his or her examination score.

(c) Any person registered as an apprentice barber prior to induction into the armed forces of the United States may be admitted to an examination for licensure

under the provisions of this act upon presentation of his or her certificate of honorable discharge from such service within one year from date thereof

(d) For any person to be registered as a teacher in a barber school he must be at least twenty-three years of age a graduate from an approved high school or its equivalent and have had either [(a)] (1) at least five years' experience as a registered barber in a registered barber shop in the State of Pennsylvania or [(b)] (2) training in a registered barber school of at least fifteen hundred hours in not less than ten months and in addition thereto two years' experience as a registered barber in the State of Pennsylvania or in lieu of the aforesaid requirements he must have had fifteen years experience as a barber five years of which experience shall have been as a registered barber in a registered barber shop in this State The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering including ability to teach properly the various practices and theories of barbering physiology hygiene elementary chemistry relating to sterilization and antiseptics massaging and manipulating the muscles of the face neck scalp hair cutting bobbing shaving and trimming the beard dyeing the hair and the barber laws of this State and the rules and regulations adopted by the department and advisory committee The registration fee for teachers shall be five dollars and the annual renewal fee shall be five dollars

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered teacher authorized to teach such occupation in this Commonwealth Provided That such apprentice or student shall apply to the department to have his or her name registered with the department in a book which shall be kept by the department and secure a permit upon the payment of a fee of one dollar to practice as an apprentice under a duly registered barber or as a student under a duly registered teacher such permit to be displayed in front of his or her working chair Students upon graduation from a registered barber school and having served eighteen months' apprenticeship in a barber shop or in a registered barber school and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore specified shall make application for examination at the next regular period specified in this act or she shall secure a new apprentice permit upon the payment of a fee of one dollar which shall be valid until the next succeeding examination

Apprentice permits not exceeding four to practice as an apprentice barber may be issued at the discretion of the department

Section 8 The certificate shall be renewed on or before the [first] thirtieth day of April in each year and the holders of said certificates of registration shall pay to the department the sum of two dollars or such other sum as may be fixed by the department for a renewal card Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate on or before the [first] thirtieth day of April in each year and who continues the practice of barbering or any of its branches shall on conviction thereof before any magistrate alderman or justice of the peace be subject to a fine of not more than ten dollars to be collected by summary conviction as like fines are collected by law or in case of non-payment of the fine to undergo an imprisonment for a period not exceeding ten days Any such person shall have the right of appeal as in other cases of summary conviction

Section 12 (a) All barber shops shall at all times be under the immediate supervision of a registered barber In no barber shop shall there be more than one apprentice

who must be at all times under the supervision of a barber authorized under this act to practice such occupation All barber schools shall keep prominently displayed at every entrance to said school a sign reading "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber shop or barber school shall first secure from the department a permit or registration certificate to do so and shall keep the same prominently displayed The fee for registration of each barber shop shall be two dollars for each permit and the annual renewal fee shall be one dollar and the fee for registration of each barber school shall be fifty dollars and the annual renewal fee therefor shall be twenty-five dollars The department may pass upon the qualifications appointments and course of study in said school which shall be not less than six months All barber schools shall have not less than one registered teacher for every twenty students and in no case less than one full-time teacher who shall be in attendance at all times during the hours the school is open for instruction

(b) No school of barbering shall be granted a certificate of registration unless it requires as a prerequisite to admission thereto graduation from an eighth grade school or its equivalent as determined by an examination conducted by the department and it shall attach to its staff as a part-time teacher a person licensed by the Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours which shall not be less than seven nor more than eight hours per day the school is open for instruction shall establish grades and hold examination before issuance of diplomas and shall be required to maintain a course of study requiring not less than one thousand hours for completion in not less than six months and shall comprise all of the subjects pertaining to barbering the barber laws of this State and the rules and regulations adopted by the department and shall include practical demonstrations and theoretical studies and studies in sanitation sterilization and the use of antiseptics cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to barbering or any practice thereof

(c) No school of barbering shall permit its students to practice barbering of the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after first being properly informed that the operator is a student No school of barbering shall directly or indirectly charge any moneys whatsoever for treatment by its students or for materials used in such treatment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—32

Becker,	Farrell,	Mahany,	Tyler,
Berger,	Geltz,	Mallery,	Wade,
Blass,	Hare,	Ruth,	Wagner,
Carr,	Heyburn,	Scarlett,	Walker,
Chapman,	Honshier,	Snowden,	Watson,
Crider,	Kephart,	Stevenson,	Wolfe,
Crowe,	Letzler,	Tailman,	Wood, L. H.
Doehla,	Lord,	Taylor,	Wood, T. N.

NAYS—15

Barr,	Holland,	Leader,	Tarr,
Dent,	Jaspan,	Rahausen,	Wilson,
DISilvestro,	Klein,	Rosenfeld,	Woodring,
Haluska,	Lane,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr President, I ask unanimous consent that Senate Bill No. 498, on third reading entitled:

An Act lapsing all unexpected or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr President, I ask unanimous consent that House Bill No. 503, on third reading entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 545, entitled:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. MAHANY. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2, Page 4, line 3 by inserting after the word, "guardian" the following "which said consent so given shall not be repudiated thereafter."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 558, as follows:

An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional insurance companies to come within the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as added thereto by the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 789) and as further amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 585) is hereby further amended to read as follows

Section 419 Certain Companies Heretofore Organized May Come within Provisions of Act [Stock companies] Every company incorporated or reincorporated under the act of April twenty-eighth one thousand nine hundred and three (P. L. 329) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act" or under the act of April twentieth one thousand nine hundred twenty-seven (P. L. 317) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies reincorporated under the provisions of this act" or under the act of June twenty-fourth one thousand nine hundred thirty-nine (P. L. 686) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to reincorporate as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which such corporations may

issue policies” having in the case of a stock company a paid up capital of not less than three hundred thousand dollars (\$300,000) and a paid-in surplus at least equal to fifty per centum of the subscribed capital or having in the case of a mutual company insurance in force in an aggregate amount of not less than one million dollars (\$1,000,000) on not less than four hundred persons and a surplus of not less than two hundred thousand dollars (\$200,000) may notwithstanding any limitation to the contrary established by any act of Assembly or by the provisions of its charter issue policies insuring the lives of persons and every insurance appertaining thereto may grant and dispose of annuities and may insure against personal injury disablement or death resulting from traveling or general accidents and against disablement resulting from sickness and every insurance appertaining thereto as specified in subdivision (a) clause one (1) of section two hundred and two (202) of this act

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DISilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 564, as follows:

An Act to amend subsection (f) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled “An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations

real estate brokers rental agents and boards of school directors and imposing penalties” providing for a space wherein elector shall affix his signature or mark on registration card

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled “An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties” is hereby amended to read as follows

Section 18 Manner of Registration

* * * * *

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector giving borough town or township and his ward and district if any the fact of registration designation of party enrollment the date thereof [and] the serial number of his registration card and space wherein the elector shall affix his signature or mark

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DISilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Wood, L. H.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted “aye” the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,
The Sentae proceeded to the third reading and consideration of Senate Bill No. 565, as follows:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled “An act

to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 19 Manner of Registration

* * * * *

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment [and] the date thereof and space wherein the elector shall affix his signature or mark The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahausen,	Wagner,
Chapman,	Homsheer,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, T. N.,
Doehla,	Leader,	Stiefel,	Wood, L. H.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 566, as follows:

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" providing for a space wherein elector shall affix his signature or mark or registration card

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" is hereby amended to read as follows

Section 19 Manner of Registration

* * * * *

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration of party enrollment [and] the date thereof and space wherein the elector shall affix his signature or mark The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 567 as follows:

An Act to amend subsection (f) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as member of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (f) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment [and]

the date thereof and space wherein the elector shall affix his signature or mark The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 568, as follows:

An Act to amend section twenty point one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" providing for a space wherein elector shall affix his signature or mark on registration card

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty point one of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission

election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household good and boards of school directors and imposing penalties" as added by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby amended to read as follows

Section 20.1 When the registration of an elector registered thereafter has been completed the registrar commissioner employe or clerk shall deliver to such registered electors a written or printed statement signed by such registrar commissioner employe or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment the date thereof the serial number of the elector's registration card space wherein the elector shall affix his signature or mark and such other information as the commission may deem advisable Each such statement shall contain a warning to the effect that the said statement relates only to the time of the issuance thereof and is not of itself evidence or proof of the elector's qualifications to vote at any election or primary Upon request made at the office of the commission by any registered elector who has been registered prior thereto the commission if satisfied that such elector is a qualified elector of the district in which he is registered shall mail or deliver such a statement of his registration to such elector

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margle,	Wade,
Carr,	Holland	Rahausen,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Taliman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill the the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that Senate Bill No. 570, on third reading entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 638, as follows:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical and Museum Commission is hereby authorized to release to the Attorney General of the United States for a period of one year any and all historic documents of the Commonwealth now in its custody including the original Charter of King Charles II of England granting the province of Pennsylvania to William Penn for the purpose of exhibiting the same on the "Freedom Train" which it is proposed shall visit every state in the Union and several cities in each state carrying a collection of documents showing the development of democracy in the United States for the purpose of reawakening in the people their deep-seated reverence for the American way of life and to combat communism and other ideologies

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margle,	Wade,
Carr,	Holland	Rahausen,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Taliman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 659, as follows:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction

and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special and legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 301) is hereby further amended to read as follows

Section 101 Definitions The following words and phrases when used in any law hereafter enacted unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

* * * *

(70) "Motor vehicle" any self propelled device in upon or by which any person or property is or may be transported or drawn upon a public highway except tractors power shovels road machinery agricultural machinery and vehicles which move upon or are guided by a track or trolley

(70.1) "Municipality authority" or "municipal authority" a body corporate and politic created pursuant to the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) or to the Municipality Authorities Act of One thousand nine hundred thirty-five

* * * *

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahausser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 664, as follows:

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal

mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mine foreman

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule 12 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the twenty-second day of April one thousand nine hundred twenty-nine (P. L. 630) is hereby further amended to read as follows

Article XII

General Rules

The following general rules shall be observed in every mine to which this act applies

* * * *

Rule 12 The mine foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure and a report of said examination shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and countersigned within a period of one week by the mine foreman All such reports shall be made and signed at the end of each shift Providing however If the mine is idle forty-eight (48) hours or more the mine foreman or his assistant shall examine every working place the day before operations are resumed and all such entries shall be made and signed in ink in a manner similar to that heretofore described

Section 2 Rule 13 of Article XII of said act is hereby amended to read as follows

Rule 13 The mine foreman or some other competent person or persons to be designated by him shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering and see that they are in safe and efficient working condition and a report of said examinations shall be recorded in a book without delay kept at the colliery for that purpose and signed by the person making the same and counter-signed by the mine foreman The book in which all such reports that are required to be made and recorded by this act and by Rule 5 of the act of June 2 1891 (P. L. 176) of this act shall be securely bound and the manner and form in which the results of each examination shall be recorded shall be in accordance with a form furnished by the Department of Mines

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,

Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 665, as follows:

A Supplement to the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" making an appropriation to the Department of Property and Supplies for the payment of the cost of acquiring certain property and the improvement and beautification thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars (\$35,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment necessary for the acquisition of property authorized by the act to which this is a supplement and the expenses incident thereto including title searches and the improvement and beautification thereof after being acquired

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Carr,	Holland,	Rahauser,	Wagner,
Chapman,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 710, as follows:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 967) is hereby further amended to read as follows

Section 320 Annual and Other Reports Penalties Every stock and mutual insurance company association and exchange doing business in this Commonwealth shall annually on or before the first day of March file in the office of the Insurance Commissioner a statement which shall exhibit its financial condition on the thirty-first day of December of the previous year and its business of that year and shall within thirty days after requested by the Insurance Commissioner render such additional statement or statements concerning its affairs and financial condition as the Insurance Commissioner may in his discretion require The Insurance Commissioner shall furnish to each of the insurance companies associations and exchanges blanks in such form as he may adopt for their statement and he may make such changes from time to time in the form of the same as shall seem to him best adapted to elicit from them a true exhibit of their financial condition Insurance companies of foreign governments doing business in this Commonwealth shall be required to return only the business done in the United States and the assets held by and for them within the United States for the protection of policyholders therein

Any company association or exchange which neglects to make and file its annual statement or other statements that may be required in the form or within the time herein provided shall forfeit a sum not to exceed one hundred dollars (\$100) for each day during which such neglect continues and upon notice by the commissioner its authority to do new business shall cease while such default continues

For wilfully making a false annual or other statement required by law an insurance company association or exchange and the persons making oath to or subscribing the same shall severally be punished by a fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5000) A person who wilfully makes oath to such false statement shall be guilty of perjury

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Becker,	Celtz,	Rosenfeld,	Wade,
Berger,	Hare,	Ruth,	Wagner,
Blass,	Heyburn,	Scarlett,	Walker,
Carr,	Homsher,	Snowden,	Watson,
Chapman,	Kephart,	Stevenson,	Wilson,
Crider,	Letzler,	Tallman,	Wolfe,
Crowe,	Lord,	Taylor,	Wood, L. H.,
Doehla,	Mahany,	Tyler,	Wood, T. N.,
Farrell,	Mallery,		

NAYS—14.

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Margie,	Tarr,
DiSilvestro,	Klein,	Rahauser,	Woodring,
Haluska,	Lane,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representative for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 714, as follows:

An Act to further amend section seven of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the eleventh day of May one thousand nine hundred five (P. L. 518) entitled "An act making an appropriation for the erection of a home or school for indigent orphans to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania in which school provision shall be made for giving instruction in reading writing arithmetic drawing duties of citizenship elementary manual training the elements of farming and other requisite branches" as last amended by the act approved the fifteenth day of April one thousand nine hundred seven (P. L. 91) is hereby further amended to read as follows

Section 7 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate Said trustees shall be a body politic or corporate of the name of the Thaddeus Stevens [Industrial School of Pennsylvania] Trade School They shall manage and direct the affairs of the institution and make all necessary by-laws and regulations not inconsistent with either the provisions of the Constitution or laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such

vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee The Superintendent of Public Instruction shall be ex-officio member of the board of trustees

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Carr,	Holland	Rahauser,	Wagner,
Chapman,	Homsher	Rosenfeld,	Walker,
Crider,	Jaspan	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1050 on third reading, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1137 on third reading, entitled:

An Act to further amend the act approved the twenty-sixth day of May one thousand nine hundred thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit associations to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring certain powers and duties on the Department of Banking and providing penalties" further defining the membership of Credit Unions and permitting loans to other credit unions

be placed on the Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to

BILLS ON SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading consideration of Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, in order that there may be a public hearing held upon Senate Bill No. 644 and Senate Bill No. 190, I move that Senate Bill No. 190, on second reading entitled:

An Act to repeal certain statutes relating to oleomargarine butterine or similar substances manufactured wholly or partly from fats oils or oleaginous substances

be recommitted to the Committee on Agriculture,

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, I desire to interrogate the majority leader.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. DENT. Will the gentleman from Lehigh tell the Senate why this bill is being committed to the Committee on Agriculture, when it originated in the Committee on State Government.

Mr. TALLMAN. Mr. President, the reason for that is, first of all, I am not acquainted with what may have prompted the referral of this bill to the Committee on State Government originally. However, the Committee on Agriculture is the committee which is sponsoring a public hearing on the oleomargarine question, and for that reason, sir, this bill is being recommitted to the Committee on Agriculture.

Mr. DENT. Mr. President, I desire to further interrogate the gentleman from Lehigh.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be further interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. DENT. Mr. President, is the gentleman from Lehigh acquainted with the fact that there is a bill containing the same provisions as Senate Bill 190 in committee at the present time, and that bill could be used in a public hearing and still be effective as far as ascertaining the will of the people concerning the provisions of Senate Bill 190.

Mr. TALLMAN. Mr. President, I am not aware of the fact that there is another bill that does the same thing, other than what I have heard here on the floor of the Senate this afternoon.

However, Mr. President, up to this point, on this matter of consideration of the oleomargarine question, it appears that Senate Bill 190 has been the bill upon which all of the attention has been centered as a bill for revoking the existing law or repealing it, concerning oleomargarine, and for that reason, Mr. President, it seems fair and right that this bill should be the bill that will be re-committed with the other bill so that they may both be considered by the Committee on Agriculture.

Mr. DENT. Mr. President, I just want to call to the attention of the Senate the fact that this is what is known as legislative strategy. You first have on the calendar a bill that seems to fulfill the desire of the people who are interested in unrestricted trade in oleomargarine, but suddenly there is opposition to this particular type of legislation, so another bill is introduced which confuses the issue. In order not to face the question squarely and fairly, as to how each individual Senator would vote upon complete restriction or complete repeal of the restrictions on oleomargarine, as to its sale, wholesale and retail, we find now upon the Senate calendar another bill and so, under the guise of sending both bills back to committee to be studied, we now have before us this motion to recommit.

That motion to recommit must not confuse the people of Pennsylvania. This motion to recommit Senate Bill 190 is a vote for or against this particular piece of legislation. This has happened so many times in the past that I believe I am positive in my position that this is a vote to determine the fate of this particular bill; it will go back to committee in conjunction with another bill, but from that committee where it is now being sent, most of the men in the Senate know that it will not emerge, because that committee is the Committee on Agriculture and the agricultural members of this Senate are unalterably opposed to lifting the restrictions, and to the provisions of Senate Bill 190.

Therefore, Mr. President, when we are voting, I am going to ask for a roll call so that each man may be tallied according to his desires for or against this legislation. No amount of explanation to the contrary, Mr. President, will alter the fact that this is a vote for or against restriction or non-restriction on oleomargarine.

Mr. TALLMAN. Mr. President, I have become rather amazed, week after week, when the gentleman from Westmoreland stands up on the floor of this Senate and dictates what the terms shall be upon which a roll call shall be taken, and I think it is time that it is stopped.

Mr. President, I want to say to you that, despite this

ultimation, there is a very serious honest difference of opinion about this oleomargarine question on this side, and maybe if the same integrity of approach to this subject were used on the other side there might be more difference of opinion.

It is a strange thing, Mr. President, it seems to me, that this ultimatum should have been delivered by the gentleman from Westmoreland at this time in stating his reasons for indicating why this bill should remain on the calendar, because I remember just several weeks ago, when the minority in this chamber took a very strong position on the recommitment of certain labor bills for the purposes of a public hearing, in spite of the fact that there were in several committees of this Senate, at that time, bills dealing with the same subject matter, and it seems to me that in this request for a roll call is the implied inference that there is no integrity in the position of the members of this side and that this bill is being recommitment definitely, because the gentleman from Westmoreland says so, for the purpose of killing it, which is simply a matter of using a situation whenever it best suits his convenience and the convenience of the minority.

Mr. WALKER. Mr. President, under no circumstances would I want this roll call to be taken, as the gentleman from Lehigh says, under the terms as laid down by the minority leader.

There is an honest difference of opinion, as the majority leader has said, with regard to the merits of Senate Bill 190. If the roll were called on Senate Bill 190 I would be perfectly willing to vote in the affirmative on that bill, and I am not alone in that position. Some of you city farmers who sit over there and attempt to put words in the mouths of people who are attempting to be honest in their opinions, sometimes get us to the place where there is such a thing as annoying us no end. May I say to the members of the minority, Mr. President, that we have the right and the courage of our convictions. We have been advised that this bill is going back to committee for a public hearing, and you can not apply oil or butter to us in an attempt to soften us up in the position we have taken. I am individually in favor of Senate Bill 190 and would vote for it, and I am repeating that for the deliberate purpose of reemphasizing it upon the record.

Mr. President, I am going to vote to recommit this bill, because we have been told there is an honest attempt to arrive at some facts and no propaganda from the other side can change that. I am in favor of, and the people of my district are in favor of working this thing out from the standpoint of the facts. I am sick and tired of the propaganda that has been spread by both sides on this question, and I think a public hearing is in order and the gentleman from Westmoreland knows you can not have a public hearing unless this bill goes back to committee.

I am going to vote for this motion to recommit this bill and I want to say, Mr. President, that does deprive me of the right of voting for Senate Bill 190 when it reappears on the calendar.

Mr. DENT. Mr. President, when the gentleman from Allegheny simmers down a little bit, I might interest him in the fact that if he is interested in voting for or against Senate Bill 190 this is a good time to do it, because I am just as convinced as I have ever been of anything I have ever said on the Senate floor that this is the

last time this bill will appear in its present form before the Senate of Pennsylvania.

However, I might correct the gentleman from Lehigh. He no doubt is becoming a little confused as time wears on as to the taking of dictatorial powers because I remember very clearly just recently, I think about two weeks ago, when he very rudely told the members of the minority that there would be no action upon this bill until he and the majority decided, and that our rights would be then given consideration only upon the dictates of the majority.

And so, Mr. President, considering the fact that they have decided to act, I say to them in clear-cut language that the action they are now taking is an action for or against Senate Bill 190. I do not care how you cover up the issue with any kind of protest about your innocence or about your care and worry about the people back home that are interested in this legislation. The way to prove that is to vote now, and vote now on whether this bill goes back to the Committee on Agriculture to be cremated or whether it stays upon the calendar on the floor of this Senate and be voted upon yes, or no, on the merits of the bill. Regardless of how you try to cover it up, this is a vote trying to dodge the real issue, which is a vote for or against this legislation.

The PRESIDENT. The Chair calls to the attention of the Senators the fact that there is a motion to recommit Senate Bill 190 before the Senate, and any debate should be confined to the subject of that motion.

PERSONAL PRIVILEGE

Mr. TALLMAN. Mr. President, I rise upon a matter of personal privilege.

The PRESIDENT. The gentleman from Lehigh will proceed.

Mr. TALLMAN. Mr. President, while we are on this subject of dictatorial policy, and the statement which the gentleman from Westmoreland just made, it is perfectly within the province of the majority to make the kind of statement that I made several weeks ago, and, Mr. President, I will stand on it, and while we are talking about that I would like to explain why I made that statement. The gentleman will remember on that afternoon there were motions made to recommit several bills, and it happened, as I recall, that there were an equal number of Republican sponsored bills and an equal number of Democratic sponsored bills recommitment. The gentleman from Allegheny, Mr. Barr, did not like that procedure, and, therefore, despite the fact that there were friends of Senate Bill 190 on this side of the Senate, he decided that he would call it from the postponed calendar.

Now, Mr. President, I want to say that as long as those processes are going to take place on the other side of this Chamber, that is just how long the majority proposes to take the position that it stated the other afternoon when, out of anger and lack of respect for the decent procedures, motions of that kind and movements of that kind take place, then, Mr. President, I take it that this side of the Chamber will have the right to make statements of that kind. It seems to me, Mr. President, that the integrity of the position of the members on this side of the chamber ought to be respected with regard to the motion that is being made now.

I again say, Mr. President, no matter what the gentle-

man from Westmoreland says, no matter what kind of ultimatum he lays down, the position on this side of the Senate is based upon its honest intent to have this matter aired at a public hearing.

Mr. FARRELL. Mr. President, the session is nearing a close and the Senators have been working awfully hard and blood-pressures have been going up. However, I would like to say this, Mr. President, That I have faith in the members of the Senate, on both sides.

I am going to vote in favor of re-committing this bill, together with No. 644 for a public hearing. I have faith in my fellow-members that this bill is not going to be put back to be pickled, as the common expression is. This bill is going back for an honest public hearing and I will bet all the tea in China, and that is a lot of tea, that Senate Bill No. 190 will be heard from when it comes back to the floor, and it will, or the other bill will be amended to suit the people who use oleomargarine in the state of Pennsylvania. They are entitled to it and they are going to get it.

PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President, I think it is time the record should be kept straight about the question that the motive behind Senator Barr's calling up Senate Bill 190 is not a matter of proper consideration of the Senate. However, if anybody questions those motives, that is entirely his right, but no one can say that the gentleman from Allegheny was not acting in accordance with the rules of the Senate of Pennsylvania; he was calling up in its proper turn a bill on the postponed calendar, which is the right and prerogative of every member of this senatorial body.

However, if the majority feels in its power and in its strength as a voting group that they can set aside the rules and rights that are guaranteed to minority groups, then the only thing we can do is to take advantage of every legislative trick that we know, every legislative trick that we have learned through the many years of being in the minority fighting for our places in the Senate, in order that the people may hear both sides of every question and every problem that comes before this body. It has always been the historic prerogative of minorities to be heard, Democrats and Republicans alike.

All legislative bodies must act at times according to the dictates of the moment and therefore we find ourselves, in many instances, doing the things that have been taught to us by the now majority party when they were in the minority. You see, Mr. President, most of the members of this side of the Senate were of the majority party when the present members on the other side were in the minority, and the tricks we are now endeavoring to put into force are those legislative acts we learned from them. If they were bad teachers, if they were not the kind of instructors we should have followed, we should have known that long ago because, Mr. President, we do not like to be condemned for doing what our instructors taught us.

And I may say to the gentleman from Philadelphia, Senator Farrell, that he is entirely safe in betting all the

tea in China because he does not own all the tea in China.

PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise on a matter of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. DiSILVESTRO. Mr. President, I wish to ask the minority floor leader whether he means legislative maneuvers or tricks.

Mr. ROSENFELD. Mr. President, I think quite often we, as individuals, are subject to comment and criticism for acts that the entire Senate or a majority of the Senate takes as a body. It may be that back in the city of Philadelphia, if this bill is re-committed and does not see the light of day again, that I, as a member of this body, will be criticized by my constituents for having killed the bill.

Therefore I would like the record to note that if I had the opportunity of voting for the bill I would vote for Senate Bill 190, Printer's Number 70.

PERSONAL PRIVILEGE

Mr. BARR. Mr. President, I rise on a matter of personal privilege.

The PRESIDENT. The gentleman from Allegheny will proceed.

Mr. BARR. Mr. President, several weeks ago, when I called this bill up from the postponed calendar, I did so, which was my right as a member of the Senate, and at that time the Juggernaut Republican leader told me that this bill would be acted upon when they felt like acting upon it.

Unfortunately the newspapers in writing this up put me in the light that I had killed the bill. In other words, one of the Pittsburgh papers noted that I had called the bill from the postponed calendar and therefore the bill was dead.

For that reason I want the record to note that if I had a chance to vote for Senate Bill 190 I would vote in the affirmative.

Secondly, Mr. President, I would like to call to the attention of my colleague from Allegheny, Senator Walker, now that his blood pressure has gone down, that he will have no more chance of voting on this bill than flying because he is not a member of the Committee on Agriculture and this bill will never see the light of day again.

Mr. HEYBURN. Mr. President, I do not want to delay the proceedings here, but it seems to me that what the whole thing boils down to is this, that Senator Dent has certainly missed the point. The point is that the people have requested a public hearing on Senate Bill 190, and how are we to allow them to come to this hearing and say, "Here you citizens of Pennsylvania, we are high and mighty Senators, you can not come here for a public hearing on Senate Bill 190, we are going to give you another bill to hold a public hearing on, Senate Bill 250."

Mr. President, that is exactly like Nazism and it will not work.

And the question recurring,
Will the Senate agree to the motion?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. DENT, and were as follows, viz:

YEAS—33.

Becker,	Geltz,	Mallery,	Wade,
Berger,	Hare,	Ruth,	Wagner,
Blass,	Heyburn,	Scarlett,	Walker,
Carr,	Homsher,	Snowden,	Watson,
Chapman,	Kephart,	Stevenson,	Wilson,
Crider,	Letzler,	Tallman,	Wolfe,
Crowe,	Lord,	Taylor,	Wood, L. H.,
Doehla,	Mahany,	Tyler,	Wood, T. N.,
Farrell,			

NAYS—14.

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Rahausen,	Tarr,
DiSilvestro,	Klein,	Rosenfeld,	Woodring,
Haluska,	Lane,		

So the question was determined in the affirmative.

BILL RECOMMENDED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 243, on second reading, entitled:

An Act relating to the sale, transfer, pledge, and assignment of and liens upon accounts receivable arising out of contracts in order to promote trade and commerce by facilitating the sale and pledge of accounts receivable and to eliminate fraud in connection with secret assignments.

be recommitted to the Committee on Judiciary General.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell merchandise

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. WILSON. Mr. President, perhaps at the risk of being misunderstood, and regretting deeply the taking of even a single moment now which is so precious, but more so than anything else because one of my closest friends I believe, is present in the Senate in the interest of this bill, and I am opposed to it, however, I do not propose to take the time now because it would not be right to state my objections because they are from the country standpoint and from the rural standpoint and from the experience of a long half century or more of country practice. I may be wrong.

I do not want to say today, on second reading, my arguments against Senate Bill 253, but you have the right to know that when it comes to a final vote, that under the present circumstances I feel I can not vote for this bill.

I would request that those who are for it would sit down and analyze it from my standpoint and that those who are concerned in the Senate, Democrats and Republi-

cans, read the bill, beginning with definitions and see what it does.

I think in talking a little on the subject I indirectly mentioned the word mortgages or personal property but that is not so, that is not in here, because the definitions are "merchandise," "factor" and "borrower."

The main thing is Section 2 "factor's lien." The idea is to have an agreement and make a lien and put it on record in the prothonotary's office in every county in the state. What papers go on record, other than the agreement? No one is for it and it has to be properly exemplified and those people are going to manufacture them. I think I have a different way of doing it, but they do not know what there is in it, and a number of things it does are so unusual that I feel that no such paper should be recorded in the prothonotary's office. It interferes with the management of the office. It may be a lien but the idea is perhaps to have manufacturers out in the country, or the people who furnish the money for it, will have a first lien or advantage or disadvantage over the other fellow and it might be that I am wrong but for fifty-four years I have represented a national bank—it was not always a national bank but through its different vicissitudes and traveling along the line of doing business out in the country, it has been a bank to serve the people in the community, and for that reason they had to have some attorney and I was the only one there and all that time I have been the attorney for it.

In every matter of this character where a lien comes along that bank and perhaps a few others have asked as to what I think of it and I have always in the past advised against a chattel mortgage—this is not a chattel mortgage, it is an agreement—but when you read what kind of agreement it is and what it covers and where it goes, up beyond a lien, and it is supposed to be a lien on personal property.

I am going to say a few words when the time comes but for the purposes of saving time I will not do this today, to give everybody a chance to prove I am wrong from top to bottom and I assure you that I do not wish to take up any more time, unless necessary, and unless you give me some good reason for it when the time comes I am going to vote "no".

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 285, on second reading entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating

agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 306, on second reading entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 346, entitled:

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 358, entitled:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 519, on second reading entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 537, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employes of such concessions are the property of the owner thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 551, on second reading entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 562, on second reading entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties

and for their reimbursement by taxing districts and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 586, on second reading entitled:

An Act to further amend section eight of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof" empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 586, on second reading entitled:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful providing penalties and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on second reading entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 631, on second reading entitled:

An Act regulating the selling offering or exposing for sale of agriculture seeds and seed mixtures for seeding

purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 644, on second reading, entitled:

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

be recommitted to the Committee on Agriculture.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals; and amending, revising consolidating, and changing the law relating thereto", by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 674, entitled:

An Act validating county commissioner's deeds where the acknowledgement of such deed or deeds was defective in any respect or where the acknowledgement was not properly taken.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 675, entitled:

An Act validating County treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1053, on second reading, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 129, entitled:

A Joint Resolution proposing an amendment to article nine, section sixteen of the Constitution of the Commonwealth of Pennsylvania extending the provisions thereof to include certain veterans not theretofore within its provisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 493, entitled:

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, May 13, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:52 o'clock, p. m., Eastern Standard Time until Tuesday, May 13, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 12, 1947

The House met at 3:30 p. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Rev. Michael Estock, pastor of St. John's Evangelical Lutheran Church, Hazleton, Pennsylvania, guest of Hon. John J. Mikula, Luzerne County, offered the following prayer:

Lord God heavenly Father Thou hast again gathered us

into this assembly to carry on the duties for which Thou hast called us. We thank Thee for the grace which Thou hast bestowed upon us to this day, and we pray Thee permit us to experience the fulfillment of Thy gracious promise: "Where two or three are gathered together in My name, there am I in the midst of them." Enlighten us, so that we may know what is Thy pleasure, sanctify us, so that we may will and resolve upon that which is right, strengthen us to do what is just, and bless us so that all we may think, desire, or do may prosper and redound to Thy glory and the furtherance and well-being of Thy people.

We pray Thee, Lord, to look with grace upon the President of the United States and to shower upon him the wisdom of Thy Spirit to carry out the perplexing problems before him.

Look with grace upon our Governor and his associates and grant him the joy to always walk in Thy ways.

Look with compassion upon the peoples of the world and stretch forth Thy hand of blessing upon all nations.

All this and more we ask in Jesus' name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, May 8, 1947.

The Clerk proceeded to read the Journal of Thursday, May 8, 1947, when on motion of Mr. MILLER unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mrs. McCOSKER. HOUSE BILL No. 1332.

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

Referred to the Committee on City and County—First Class.

By Mr. WOOD. HOUSE BILL No. 1333.

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain department, boards and commissions shall be determined," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

Referred to the Committee on State Government.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 337.

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; and appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

Referred to the Committee on Judiciary.

SENATE BILL No. 383.

An Act to amend the title and the act, approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," by further prescribing the powers of said licensees and the Secretary of Banking; and further regulating the granting of said licenses, and the loans, charges, interest and refunds to be made or collected by such licensees.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 652.

An Act terminating the existence of the Pennsylvania Nautical School.

Referred to the Committee on State Government.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 7th, 1947.

May 20th, 1946 marked the passing of Major General Edward C. Shannon at his residence in Columbia, Lancaster County, Pennsylvania, at the age of seventy-five years. Stricken on Christmas Eve previously with a heart ailment, General Shannon lost strength steadily until he succumbed.

General Shannon was Lieutenant-Governor and the presiding officer of this Body from 1931 to 1935 during Governor Pinchot's second term. His incumbency saw four Legislative Sessions in addition to two regular terms which lasted five months each or a total of one hundred and fifty-nine legislative days.

General Shannon sought the Republican Gubernatorial Nomination in 1934, running second to the Honorable William A. Schnader, Attorney General in Governor's Pinchot's Cabinet in a primary field of sixteen candidates.

Born in Phoenixville, Montgomery County, Pennsylvania, June 24th, 1870, a son of the late Frederic Hallman and Janet Murray Shannon. He was educated in the public schools of that community. As a young man, however, he left his home community and launched upon his long illustrious career, first as a blast furnace superintendent and Chemist at Marietta in Lancaster County, Pennsylvania.

April 10th, 1889, he enlisted in the 4th Infantry, Pennsylvania National Guard as a Private. Seven years later he rose to the rank of Captain. During the Spanish-American War he led Company C, 4th Infantry, to Puerto Rico where it was engaged in active service. He was mustered out November 16, 1898.

Meanwhile General Shannon had become Manager of the Triumph Manufacturing Company.

In addition General Shannon was Treasurer and General Manager of the Lucas Manufacturing Company and shortly after his return from the first World War he was elected Prothonotary of Lancaster County. He was a staunch Republican.

Returning to Columbia he was married on April 22nd, 1899, to Miss Maude C. Lucas. There was a daughter born of the marriage, Miss Janet C. Shannon, now the wife of Wilbur C. Varian, residing with their two sons at Coatesville, Pennsylvania. Mrs. Shannon predeceased the General by approximately three years.

He served along the Mexican Border in 1916-17 as a full Colonel in command of the 4th Infantry at the beginning of World War I.

When the 7th Pennsylvania Division was reorganized into the 28th Infantry Division, he was given command of the 111th Infantry Regiment. With his Regiment he landed in France May 5th, 1918 and almost immediately went into combat action where he earned the nickname of "Two Yard Shannon" in keeping that distance ahead of his front line troops. He was cited for bravery and won the Distinguished Service Medal for "exceptionally meritorious and distinguished service" in the Champagne-Marne offensive. With his Regiment he served in five separate campaigns in France and he brought his troops back home in April 1919.

On reorganization of the Guard in Pennsylvania, he was commissioned a Brigadier General in command of the 56th Infantry Brigade. Later in 1933 he was promoted to Major General and assigned to command the 28th Infantry Division and the Pennsylvania National Guard. At that time he was serving the Commonwealth of Pennsylvania as Lieutenant-Governor but after some arrangements he was permitted to hold both offices of Lieutenant-Governor and Major General, drawing only one salary. Later special legislation was passed permitting him an extra five years as Commander of the 28th Division and the National Guard. He ended his military career at Indiantown Military Reservation on June 24th, 1939, after fifty years of service.

During World War II General Shannon served on a draft board in Lancaster County.

For twenty-five years General Shannon was President of the Board of Trustees of the Pennsylvania Soldiers' Orphans School at Scotland, Pennsylvania. He was a trustee of the Valley Forge Military Academy and served as Chairman of the Valley Forge Historical Commission and also as Chairman of the State Military Reservation Commission.

General Shannon was President of the Columbia Water Company and the First National Bank of Columbia. He was a member of the Board of Directors of the Columbia Hospital. He was a Director of the Columbia Chamber of Commerce and a past President of the Columbia Rotary. He was a Director of the Columbia Red Cross Chapter, a member of Zembo Shrine, Sojourners, Columbia Lodge No. 286 F. and A. M., Royal Arch Masons, Columbia Chapter 224, Knights Templar Commandry No. 34, a member of the Hamilton Club at Lancaster, Pennsylvania, the Elks, the United Spanish War Veterans, the American Legion and Veterans of Foreign Wars.

Tall, gray and handsome, General Shannon was a colorful character. On a balmy Saturday afternoon in April, in 1941, during the heat of my first campaign for State Senator from the District in which we were both voters, I planned to make a dozen or more calls in Columbia and I chose to call at General Shannon's residence first. I found him at home alone with his wife, having just finished his dinner. He was in a contemplative and reminiscent state of mind and Mrs. Shannon joined us in the drawing room. I made no other call in Columbia on that Saturday afternoon. Late afternoon found me bidding adieu after a three hours' visit as interesting and soul-touching as I have ever experienced. The friendship of his County of Lancaster with my County of Lebanon came in for long discussion. The loyalty of my County to him in his campaign for the Republican nomination for Governor, when other counties failed him, came in for further discussion. He discussed the result of his candidacy with no rancor but made no pretense of concealing the fact that his disappointment over his defeat was unassuaged. A typical American family Mrs. Shannon would interrupt him frequently in his reminiscences to correct him, as devoted wives are wont to do. I look back to the visit as one that was crowded to the top with human interest and it raises in me high emotion that it has fallen to my lot to eulogize him today.

In Lebanon County there has been erected and constructed a splendid Facility for the rehabilitation of Veterans of the Second World War. I can think of nothing more fitting than that this Facility should be named for this distinguished soldier who lived and died in the District in which the Facility is located. My colleagues have been very kind to me in permitting me to offer this Resolution and I now propose that it be

Resolved, (if the House of Representatives concur), That the Director of the Veterans' Administration of the United States be requested to name and designate the new veterans' Facility and Hospital in Lebanon County as "The General Edward C. Shannon Hospital" in his honor and everlasting memory.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following communication which was read by the Clerk:

COMPENSATION OF JUDGES

Communication from Law Alumni of Temple University favoring the passage of Senate Bill No. 94, fixing salaries and compensation of Judges.

Referred to the Committee on State Government.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Sorg for Mr. NAJAKA for Monday and Tuesday because of death in the family.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 551, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" granting to municipalities as defined and to authorities power to charge and collect from owners of our users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special assessments for the design and construction thereof clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which sewer rentals may be imposed and adding to such purpose

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. O'CONNOR. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study and possible amendment. The motion was agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto," by prescribing the procedure and entering into contracts for establishment, operation and maintenance of aviation landing fields and air dromes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 125, entitled:

An Act to amend subsection fourteen of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that

are or may be inconsistent therewith" permitting boards of school directors to grant temporary increases in salaries from time to time

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act to reenact and further amend section one of the Act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine operators to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 454, entitled:

An Act to amend the heading of Article III, and to amend, or further amend, Sections three hundred two, three hundred three, three hundred five, three hundred six, three hundred seven, three hundred eight, three hundred nine, three hundred ten, three hundred eleven, three hundred twelve, three hundred thirteen, three hundred fourteen, three hundred fifteen, three hundred eighteen, three hundred nineteen, and three hundred twenty-one, of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by establishing a new schedule of resident and nonresident licenses and fees; fixing a termination date for the issuance of free resident licenses to military personnel; changing the license period; authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely; and changing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of li-

censed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licesing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign nonprofit corporations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1111, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by further defining "Dealers" and "Owners;" changing certain fees; further regulating the registration, titling, equipment, license plates and size of certain vehicles, and the licensing of operators; prescribing additional enforcement and penal provisions.

The first to thirteenth sections inclusive were separately read and agreed to.

The fourteenth section was read.

On the question,

Will the House agree to the section?

Mr. SPROUL offered the following amendments:

Amend Sec. 14, page 21, line 8, by striking out the word "Subsections" and inserting in lieu thereof: "Section seven hundred sixteen and subsections."

Amend Sec. 14, page 24, by inserting between lines 11 and 12 the following section:

Section 716. Certificates of Title; Duplicate Certificates of Title.—The fee for each certificate of title shall be two (\$2) dollars, except in the case where the certificate of title is issued in the name of the manufacturer, jobber or dealer, and the dealer, manufacturer, or jobber is possessed of current manufacturers', dealers', or jobbers' registration plates, in which case the fee shall be fifty

(\$50) cents, the fee for a duplicate certificate of title shall be one (\$1) dollar, except when issued for the purpose of recording a lien in which cases the fee shall be two (\$2) dollars.

They were agreed to.

The section was agreed to as amended.

The fifteenth to eighteenth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycle pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of title.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1296, entitled:

An Act to promote the welfare and general well-being of the veterans of this Commonwealth creating a State Veterans' Authority as a body corporate and politic with power to purchase sell construct and administer real

estate homes or farms in aid of veterans authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act further prescribing the powers and duties of said Authority and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. VAUGHN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection,

Senate Bill No. 49, Printer's No. 46, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 87, entitled:

A supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process, and providing penalties," permitting certain State employees who during the war were loaned to the United States Government and who have now returned to State Employment, to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 114, entitled:

An Act to amend section six of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (App. Act, page 40), entitled "An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly, to make a thorough and impartial study, to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions, and an equitable basis for State aid to local governments for highway purposes; authorizing consultation with research organizations of recognized national standing; and defining its powers and duties," extending provisions thereof until next regular session of the General Assembly.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled, "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood used in the manufacture of paper, or wood used in the manufacture of charcoal and wood chemicals.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 194, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 231, entitled:

An Act to amend the title and Section 1 of the act approved the sixteenth day of May, one thousand nine hundred and forty-five, (P. L. 594, Number 249), entitled "An act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders; and ratifying certain contributions," by removing certain limitations upon the power of corporations to make contributions for charitable purposes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 232, entitled:

An Act to amend Subsection 16 of Section 302 of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,
Senate Bill No. 241, Printer's No. 76 and
Senate Bill No. 246, Printer's No. 83
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 250, entitled:

An Act permitting certain personnel, of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 289, entitled:

An Act to further amend sections four hundred ten and four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing an alternate method for marking boundary lines of regulated shooting grounds and authorizing fixing of shooting periods thereon under certain conditions

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 309, entitled:

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees requiring school districts and vocational school districts to make additional payments into the School Employees' Retirement Fund reserving all rights and privileges of employees granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 311, entitled:

An Act to amend section four and subsection (a) of section ten of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 816) entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee legatee or appointee under the will of the person slain.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within one year after the effective date of this act.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,
Senate Bill No. 335, Printer's No. 55,
was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 370, entitled:

An Act validating charters and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township Montgomery County Pennsylvania with the approval of the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 477, entitled:

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or the General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" further providing for the mental examination of juvenile delinquents and their release or retention

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by extending the wartime purchasing powers of the Department of Property and Supplies for a period of not longer than two years after the state of war ceases and by further prescribing the methods of making purchasers and entering into contracts by the Department of Property and Supplies

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 515, entitled:

An Act to amend section three of the act, approved the eleventh day of May, one thousand nine hundred one (P. L. 166), entitled "An act providing for the commutation of sentences, for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same," changing the day on which monthly reports shall be forwarded to the Governor.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Act No. 85-A, page 61), entitled, "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," by adding municipal authorities to the agencies receiving assistance.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 542, Printer's No. 222, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 543, entitled:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil or any petroleum products by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 601, Printer's No. 284, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing

finest penalties and forfeiture for violation thereof" prescribing further rules regulations and requirements for the construction of plumbing house drainage and cesspool"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 838, as follows:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such service for youth and children within the meaning of the term "extension education"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" as amended by the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 599) is hereby further amended to read as follows

Section 1 The following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

"Extension education" shall designate any instructional recreational or social service provided and administered by the board of school directors of any school district which is organized primarily for out-of-school youth and for adults or any such recreational or social service which is so provided and administered for other youth and for children during out-of-school hours but shall not include the [school] work of [continuation and other] vocational schools which are subsidized under the provisions of Federal enactment nor the coaching or supervision of interscholastic athletic teams or games

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. O.,
Bloom,	Greenwood.	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,

Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Welss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection

House Bill No. 535, Printer's No. 543, was passed over at the request of the SPEAKER.

TIME EXTENDED ON BILL

Mr. FLEMING asked and obtained unanimous consent to extend the time five days on House Bill No. 542, Printer's No. 534, on page 26 of today's calendar, bills on final passage postponed.

BILLS ON THIRD READING

The SPEAKER. The Chair would call attention to a Printer's error in the title of House Bill No. 83 as it appears on the Calendar. In the third from the last line where it states "second conviction" the Chair is informed that was amended to read "third conviction." The Printer's No. 551 is correct.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, alderman justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operations of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by providing for the compulsory three year revocation of operators' license on third conviction of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit forming drug.

On the question,

Will the House agree to the bill on third reading?

Mr. GOFF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 2, line 3 from last line of title, by striking out the word "third" and inserting in lieu thereof "second."

Amend Sec. 1, (Sec. 614), page 5, line 3, by striking out the word "third" and inserting in lieu thereof "second."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. What is the parliamentary status of an amendment to an amendment, Mr. Speaker?

The SPEAKER. The Chair would inform the gentleman that this amendment is in order. The bill was amended on second reading by action of the House, and this amendment the Chair is informed will put the bill back into its original form.

Mr. ANDREWS. Is this an amendment to an amendment, Mr. Speaker?

The SPEAKER. The Chair would inform the gentleman that for an amendment to be an amendment to an amendment they would have to be offered at the same time. An amendment was offered to this bill on second reading which the majority of the House agreed to. This is an amendment being offered on third reading. The amendment is in order.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, 106 Members having voted in the affirmative and 36 in the negative, the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 274, as follows:

An Act to amend sections four thousand three hundred two four thousand three hundred three and four thousand three hundred five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" inserting additional provisions relating to retirement basis for apportionment of pension and payments to pension fund by city

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four thousand three hundred two and four thousand three hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 4302 Retirement Final Discharge Such ordinance may prescribe a minimum period of continuous service not less than twenty years or in case of disability ten (10) years after which members of the force may be retired from active duty and such members as are retired shall be subject to service from time to time as a police reserve until unfitted for such service when they [may] shall be finally [discharged] retired by reason of age or disability and that each member of the police force shall be finally retired upon reaching their sixty-fifth birthday

Section 4303 Minimum and Maximum Amount of [Premium] Pensions Payments for allowances shall not be a charge on any other fund in the treasury of the city or under its control save the police pension fund herein provided for the basis of the apportionment of the pension shall be determined by the rate of the monthly pay of the member at the date of injury death honorable discharge or retirement and shall not in any case [exceed in any year] be less than one-half the annual pay of such member computed at such monthly rate

Section 2 Section four thousand three hundred five of said act as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 722) is hereby further amended to read as follows

Section 4305 Payments to Pension Funds by City There shall be appropriated annually and paid annually to the organization or association constituting and having in charge the distribution of police pension funds in every city a sum of money sufficient to meet the requirements of the police pension fund but in no case shall any city fail to appropriate annually to the police pension fund a sum of money not less than one-half [nor more than] of one per centum of all city taxes collected by the city other than taxes levied to pay interest on or extinguish the debt of the city or any part thereof

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Aaronson,	Gallagher,	Mazza,	Scanlon,
Andrews,	Getchey,	McCormack,	Schuster,
Bane,	Gibson,	McCosker,	Scott,
Barrett,	Goff,	McCullough,	Serrill,
Baumunk,	Goodling,	McDonald,	Shoemaker,
Beech,	Gorman,	McMillen,	Simons,
Bender,	Graybill,	Mihm,	Smith, C. C.,
Bentzel,	Greenwood,	Mikula,	Smith, C. M.,
Bloom,	Greer,	Miller,	Snider,
Boles,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Naumann,	Swope,
Cadwalader,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordler,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Ragot,	Waterhouse,
Demech,	Kohl,	Readinger,	Watkins,
Dennison,	Kratz,	Reagan,	Watson,
Deputy,	Krise,	Reese, D. P.,	Weidner,
Dix,	Kurtz,	Reese, R. E.,	Wells,
Dye,	Laughner,	Reilly, J. M.,	Wescott,
Efenberg,	Layer,	Reilly, W. J.,	West,
Erb,	Lee,	Richter,	Wheeler,
Evans,	Lelsey,	Robbins,	Wolf,
Ewing,	Livingston,	Robertson,	Wood,
Feola,	Livingstone,	Root,	Worley,
Fish,	Loftus,	Rose,	Yeakel,
Fiss,	Lovett,	Rowen,	Yester,
Flack,	Lyons,	Royer,	Yetzer,
Fleming,	Madden,	Sarra,	Young,
Foor,	Madigan,	Sax,	Lichtenwalter,
Frost,			Speaker.

NAYS—6

Capano,	McKinney,	Propert,	Riley,
Elder,	Mills,		

NOT VOTING—2

Najaka,	Trout,
---------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 500, as follows:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amend-

ing and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto section ninety-eight and ninety-nine as follows

7 Prothonotaries and Clerks of the Court

Section 98 Formation of State Association Authorized The prothonotaries and clerks of courts of quarter sessions of the several counties of this Commonwealth are hereby authorized to organize themselves into a state association with the power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and cooperation in the conduct of their offices and improving their services to the public

Section 99 Expenses Time Limit The actual expenses of the prothonotaries and clerks of the court attending the meetings of the state association including traveling expenses and hotel bills actually paid by them going to attending and returning from annual meeting of the association shall be paid by the county of which he or she is an officer by orders drawn on the treasurer thereof The time spent in attending such meetings shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The expenses of the annual meeting of the association including printing committee expenses and stenographers shall be paid by the respective counties but shall not exceed twenty-five dollars per annum for each county in addition to the traveling expenses hereinbefore provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelsich,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,

Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Damech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 757, as follows:

An Act to further amend sections five and sixteen of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" providing for the time of payment of salaries to county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the thirty-first day of March one thousand eight hundred seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" as last amended by the act approved the eighteenth day of April one thousand nine hundred twenty-three (P. L. 76) is hereby further amended to read as follows

Section 5 All county officers within the counties to which this act applies whether elected by the people or appointed according to law and their several deputies and clerks shall be paid for their services by fixed and specific salaries which shall be a charge upon the treasury of the county to which each shall respectively belong to the extent (except as hereinafter provided) of the fees collected and paid in by each officer respectively or earned where fees are chargeable upon the county treasury and said salaries shall be paid semi-monthly [on the first and fifteenth days of the month succeeding that in which his services were rendered] or bi-weekly during the month in which his services were rendered at the discretion of the county commissioners of the respective counties but no warrant shall be drawn for the payment of any of said officers his deputies or clerks who shall not have filed the receipt and transcript provided for in this act

Section 2 Section sixteen of said act as last amended by the act approved the seventeenth day of May one thousand nine hundred one (P. L. 261) is hereby further amended to read as follows

Section 16 The county solicitor county jailor county commissioners county controllers county surveyor or engi-

near county detectives county treasurer interpreter of courts district attorney and his assistants shall severally be paid bi-weekly semi-monthly monthly or quarterly at the discretion of the county commissioners of the respective counties and shall be paid the full amount allowed them by law but all fees and emoluments whatsoever that may accrue to either of them by virtue of their respective offices shall be paid by them to the county treasurer as directed by law and all other officers shall be paid the amounts assigned them by law only when the net receipts of their respective offices shall reach the amounts respectively fixed for them

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelsch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being on objection,
House Bill No. 800, Printer's No. 553,
was passed over at the request of Mr. BRUNNER.

There being on objection,
House Bill No. 958, Printer's No. 432 and
House Bill No. 1040, Printer's No. 397
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1043, entitled:

An Act to amend the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" prohibiting sale of inhalers at retail

On the question,

Will the House agree to the bill on third reading?

Mr. FLACK. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1, of the title, by inserting after the word "amend" and before the word "the", the following: "the third paragraph of section one and".

Amend page 1, line 5 of the title, by striking out after the word "health" and before the word "sale", the word: "[prohibiting]" and inserting in lieu thereof, the following: "by clarifying the definition of "other hypnotic drug, or analgesic drug, or body-weight reducing drug"; and regulating the".

Amend page 2, section 1, line 1, by striking out after the figure "1" and before the word "of", the following: "[The second paragraph of section two]" and inserting in lieu thereof, the following: "The third paragraph of section one".

Amend page 2, section 1, by inserting between lines 7 and 8, two new paragraphs, to read as follows:

Section 1. * * * * *

"Other hypnotic drug, or analgesic drug, or bodyweight reducing drug," shall be held to mean and include sulphophenylmethane (Trional), or sulphomethane (Sulphonal), or diethylsulphon diethylmethane (Tetronal), or bromdiethylacetylcarbamido (Carboral), by whatever name they may be known; or paraldehyde, or any derivatives or compounds or preparations or mixtures thereof, possessing hypnotic properties or effects; and chloral or chloralhydrate or chlorbutanol, or any compounds or mixtures thereof possessing hypnotic properties or effects; or phenylcinchoninic acid (Cinchophen), an analgesic anti-rheumatic drug, or any derivative or compound including Atophan and Atoquinold or dinitrophenol, a metabolic accelerator body-weight reduction drug, or any dinitro compounds including dinitrophenol, sodium, and dinitrocresol sodium, Amphetamino (Benzodrine), or compound thereof, except that Amphetamine (Benzodrine) or inhalers may be sold without prescription, provided the Amphetamine (Benzodrine) therein has been denatured so as to make it unfit for internal use, and Thyroid, when the drugs herein defined or any derivatives or compounds or mixtures or preparations thereof.

Section 2. The second paragraph of section two of the act is hereby further amended to read as follows:

Amend page 2, section 2, line 10, by striking out after the word "inhalants" and before the word "inhalers", the symbol: "[]".

Amend page 2, section 2, line 10, by striking out after

the word "inhalers", and before the word "and", the symbol: "[]".

Amend page 2, section 2, line 13, by striking out after the word "liniment" and before the word "inhalers", the symbol: "[]".

Amend page 2, section 2, line 13, by striking out after the word "inhalers", the symbol: "[]".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1062, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executives and administrative providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further reorganizing the Department of Welfare and its boards and officers creating the Department of Mental Health prescribing its functions powers and duties and fixing salaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one

thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant-Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Mental Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission Board of Fish Commission State Civil Service Commission Pennsylvania Public Utility Commission and the Pennsylvania Historical and Museum Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania State Police

Section 2 Section two hundred two of said act as amended by the acts approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1015) and the sixth day of June one thousand nine hundred forty-five (P. L. 1398) and as amended in part by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employees' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
In the Department of Public Instruction
State Council of Education
State Real Estate Commission
Pennsylvania State Board of Censors
Public School Employees' Retirement Board
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College
 Board of Trustees of Shippensburg State Teachers' College
 Board of Trustees of Lock Haven State Teachers' College
 Board of Trustees of Indiana State Teachers' College
 Board of Trustees of California State Teachers' College
 Board of Trustees of Slippery Rock State Teachers' College
 Board of Trustees of Edinboro State Teachers' College
 Board of Trustees of Clarion State Teachers' College
 Board of Trustees of Cheyney Training School for Teachers
 State Board of Medical Education and Licensure
 State Board of Pharmacy
 State Dental Council and Examining Board
 State Board of Optometrical Examiners
 State Board of Osteopathic Examiners
 Osteopathic Surgeons' Examining Board
 State Board of Examiners for the Registration of Nurses
 State Board of Veterinary Medical Examiners
 State Board for the Examination of Public Accountants
 State Board of Examiners of Architects
 Anthracite Mine Inspectors' Examining Board
 Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
 State Registration Board for Professional Engineers
 State Civil Service Commissions
 In the Department of Military Affairs
 Armory Board of the State of Pennsylvania
 Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
 In the Department of Banking
 Board to License Private Bankers
 Pennsylvania Securities Commission
 In the Department of Agriculture
 State Farm Products Show Commission
 In the Department of Forests and Waters
 Water and Power Resources Board
 Geographic Board
 Pennsylvania State Park and Harbor Commission of Erie
 Washington Crossing Park Commission
 Valley Forge Park Commission
 Fort Washington Park Commission
 In the Department of Mines
 Anthracite Mine Inspectors
 Bituminous Mine Inspectors
 In the Department of Highways
 State Bridge Commission
 In the Department of Health
 Sanitary Water Board
 State Board of Undertakers
 In the Department of Mental Health
 Board of Trustees of Allentown State Hospital
 Board of Trustees of Danville State Hospital
 Board of Trustees of Farview State Hospital
 Board of Trustees of Harrisburg State Hospital
 Board of Trustees of Norristown State Hospital
 Board of Trustees of Warren State Hospital
 Board of Trustees of Wernersville State Hospital
 Board of Trustees of Torrance State Hospital
 Board of Trustees of Clark's Summit State Hospital
 Board of Trustees of Embreesville State Hospital
 Board of Trustees of Hollidaysburg State Hospital
 Board of Trustees of Mayview State Hospital
 Board of Trustees of Philadelphia State Hospital
 Board of Trustees of Retreat State Hospital
 Board of Trustees of Somerset State Hospital
 Board of Trustees of Woodville State Hospital
 Board of Trustees of Laurelton State Village
 Board of Trustees of Pennhurst State School
 Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics
 In the Department of Labor and Industry
 Workmen's Compensation Board
 Workmen's Compensation Referees
 State Workmen's Insurance Board
 The Industrial Board
 In the Department of Welfare
 State Council for the Blind
 Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford
 Board of Trustees of Western State Penitentiary
 Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon
 Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania
 Board of Trustees at Rockview
 Board of Trustees of the Pennsylvania Training School for Girls
 Board of Trustees of State Industrial Home for Women
 Board of Trustees of Pennsylvania Training School at Morganza
 Board of Trustees of Pennsylvania Training School at Kis-Lyn Luzerne County Pennsylvania
 [Board of Trustees of Allentown State Hospital
 Board of Trustees of Danville State Hospital
 Board of Trustees of Farview State Hospital
 Board of Trustees of Harrisburg State Hospital
 Board of Trustees of Norristown State Hospital
 Board of Trustees of Warren State Hospital
 Board of Trustees of Wernersville State Hospital
 Board of Trustees of Torrance State Hospital]
 Board of Trustees of Ashland State Hospital
 Board of Trustees of Blossburg State Hospital
 Board of Trustees of Coaldale State Hospital
 Board of Trustees of Connellsville State Hospital
 Board of Trustees of Hazleton State Hospital
 Board of Trustees of Locust Mountain State Hospital
 Board of Trustees of Nanticoke State Hospital
 Board of Trustees of Philipsburg State Hospital
 Board of Trustees of Scranton State Hospital
 Board of Trustees of Shamokin State Hospital
 [Board of Trustees of Laurelton State Village
 Board of Trustees of Pennhurst State School
 Board of Trustees of Polk State School
 Board of Trustees of Selinsgrove State Colony for Epileptics

In addition to the foregoing there are hereby created as departmental administrative boards in the Department of Welfare boards of trustees for the respective institutions which are acquired by the Commonwealth from counties cities or institution districts for actual use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight Each respective board of trustees shall be known as the Board of Trustees of the (descriptive name of political subdivision in which institution is located) State Hospital]

In the Department of Property and Supplies
 Board of Commissioners of Public Grounds and Buildings
 State Art Commission
 In the Department of Revenue
 State Athletic Commission
 In the Department of Public Assistance
 State Board of Public Assistance
 In the Department of Commerce
 Pennsylvania Aeronautics Commission
 State Planning Board

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 3 Section two hundred and three as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby further amended to read as follows

Section 203 Advisory Boards and Commissions

* * * * *

In the Department of Mental Health

State Board of Mental Health

Section 4 Section two hundred six of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 206 Department Heads Each administrative department shall have as its head an officer who shall either personally by deputy or by the duly authorized agent or employe of the department and subject at all times to the provisions of this act exercise the powers and perform the duties by law vested in and imposed upon the department

(a) The following officers shall be the heads of the administrative departments following their respective

Secretary of the Commonwealth of the Department of

Attorney General of the Department of Justice

Auditor General of the Department of the Auditor General

Secretary of Internal Affairs of the Department of Internal Affairs

Superintendent of Public Instruction of the Department of Public Instruction

Adjutant General of the Department of Military Affairs

Insurance Commissioner of the Insurance Department

Secretary of Banking of the Department of Banking

Secretary of Agriculture of the Department of Agriculture

Secretary of Forests and Waters of the Department of Forests and Waters

Secretary of Mines of the Department of Mines

Secretary of Highways of the Department of Highways

Secretary of Health of the Department of Health

Secretary of Mental Health of the Department of Mental Health

Secretary of Labor and Industry of the Department of Labor and Industry

Secretary of Welfare of the Department of Welfare

Secretary of Property and Supplies of the Department of Property and Supplies

Secretary of Revenue of the Department of Revenue

Secretary of Public Assistance of the Department of Public Assistance

Secretary of Commerce of the Department of Commerce

Section 5 Section two hundred seven of said act as amended by the act approved the twenty-eighth day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioners the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health the Secretary of Mental Health the Commissioner of the Pennsylvania State Police the Secretary of Labor and Industry the Secretary of Welfare the Secretary of Property and Supplies the Secretary of Revenue the Secretary of Public Assistance the Secretary of Commerce and the members of all independent administrative boards and commissions

The Adjutant General may have the rank of Brigadier

General of the Adjutant General's Department in the Pennsylvania National Guard or the Governor may designate the ranking line officer of the Pennsylvania National Guard as Adjutant General Provided That should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for Adjutant General And provided further That should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence No Adjutant General shall be appointed who shall not have served at least fifteen years as a commissioned officer in the Pennsylvania National Guard or equivalent length of service in the Regular Army of the United States

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who fill the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 6 Section two hundred nine of said act as last amended by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby further amended to read as follows

Section 209 Compensation of the Governor Lieutenant Governor and the Heads of Departments Annual salaries shall be payable in equal semi-monthly installments as follows

To the Governor eighteen thousand dollars
To the Lieutenant Governor eight thousand dollars
To the Secretary of the Commonwealth ten thousand dollars

To the Attorney General twelve thousand dollars

To the Auditor General twelve thousand dollars

To the State Treasurer twelve thousand dollars

To the Secretary of Internal Affairs ten thousand dollars

To the Superintendent of Public Instruction twelve thousand dollars

To the Adjutant General ten thousand dollars

To the Insurance Commissioner ten thousand dollars

To the Secretary of Banking ten thousand dollars

To the Secretary of Agriculture ten thousand dollars

To the Secretary of Forests and Waters ten thousand dollars

To the Secretary of Mines ten thousand dollars

To the Secretary of Highways twelve thousand dollars

To the Secretary of Health ten thousand dollars

To the Secretary of Mental Health twelve thousand dollars

To the Secretary of Labor and Industry ten thousand dollars

To the Secretary of Welfare ten thousand dollars

To the Secretary of Property and Supplies ten thousand dollars

To the Secretary of Revenue twelve thousand dollars

To the Secretary of Public Assistance ten thousand dollars

To the Secretary of Commerce ten thousand dollars

Neither the Governor Lieutenant-Governor nor the head of any administrative Department shall receive any additional compensation for any services rendered to the Commonwealth in any capacity

Section 7 Section four hundred and forty-eight of the act is amended by adding section (j) as follows

Section 448 (j) The State Board of Mental Health shall consist of the Secretary of Mental Health ex-officio and without vote and seven appointed members three of whom shall be doctors of medicine licensed to practice in the State of Pennsylvania and the remainder citizens of the Commonwealth

The Governor shall appoint one member whose term shall expire on the third Tuesday of January one thousand nine hundred and forty-nine one member whose term shall expire on the third Tuesday of January one thousand nine hundred and fifty one member whose term shall expire on the third Tuesday of January one thousand nine

hundred and fifty-one one member whose term shall expire on the third Tuesday of January one thousand nine hundred and fifty-two one member whose term shall expire on the third Tuesday of January one thousand nine hundred and fifty-three one member whose term shall expire on the third Tuesday of January one thousand nine hundred and fifty-four and one member whose term shall expire on the third Tuesday of January one thousand nine hundred and fifty-five Thereafter the terms of the members shall be for seven years or such unexpired portion of seven years as shall remain upon the death resignation or disqualification of a board member After the expiration of a term a member of the board shall continue to serve such portion of his successor's term as shall be necessary until his successor is appointed and qualified except that no member shall be eligible to serve consecutively for more than two full terms

The board shall elect its own chairman from among its appointed members and shall meet at the call of the Chairman Secretary of Mental Health or any two members Five members of the board shall constitute a quorum

Section 8 Section two hundred thirteen of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred forty-one (P. L. 21) is hereby further amended to read as follows

Section 213 Deputies The head of any administrative department except the Auditor General State Treasurer and the Secretary of the Department of Internal Affairs shall have the power with the approval of the Governor to appoint and fix the compensation of a deputy or such number of deputies as the Executive Board shall approve who shall in the absence of the head of such department have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department except the power to appoint deputies bureau of division chiefs or other assistants or employes and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department Provided however That any such deputy shall not have the right to exercise any power or perform any duty which the Constitution of the Commonwealth of Pennsylvania requires the head of his department personally to exercise or perform

Whenever there shall be a vacancy in the office of the head of any department such deputy as the Governor shall designate in writing shall exercise the powers and perform the duties of the head of the department until the vacancy is filled

With the approval of the Governor in writing the head of any department may authorize a named deputy to serve in his stead on any departmental administrative board or commission except the Board of Pardons of which such department head is a member ex officio One of the Deputy Adjutants General shall possess the same qualifications in all respects as are required by law for the Adjutant General of the Department of Military Affairs

Section 9 Section four hundred one of said act as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 401 Boards of Trustees of State Institutions The boards of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

[The terms of the members of each such board shall be four years and until their successors are qualified]

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person

(a) The terms of the members of each such board mentioned in this subsection shall be four years and until their successors are qualified

This [section] subsection shall apply to

Board of Trustees of Thaddeus Stevens Industrial School

Board of Trustees of Pennsylvania State Oral School for the deaf

Board of Trustees of Pennsylvania Soldiers' Orphan School

Board of Trustees of West Chester State Teachers' College

Board of Trustees of Millersville State Teachers' College

Board of Trustees of Kutztown State Teachers' College

Board of Trustees of East Stroudsburg State Teachers' College

Board of Trustees of Mansfield State Teachers' College

Board of Trustees of Bloomsburg State Teachers' College

Board of Trustees of Shippensburg State Teachers' College

Board of Trustees of Lock Haven State Teachers' College

Board of Trustees of Indiana State Teachers' College

Board of Trustees of California State Teachers' College

Board of Trustees of Slippery Rock State Teachers' College

Board of Trustees of Edinboro State Teachers' College

Board of Trustees of Clarion State Teachers' College

Board of Trustees of Cheyney Training School for Teachers

Board of Trustees of Pennsylvania Soldiers' and Sailors' Home

Board of Trustees of Eastern State Penitentiary which upon the establishment of the Medium Security Prison at Graterford shall thereafter be known as the Board of Trustees at Graterford

Board of Trustees of Western State Penitentiary

Board of Trustees of Pennsylvania Institution for Defective Delinquents and upon the establishment of the Medium Security Prison at Huntingdon shall thereafter be known as the Board of Trustees at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees at Rockview

Board of Trustees of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women

Board of Trustees of Pennsylvania Training School at Morgantown

Board of Trustees of Pennsylvania Training School at

Kis-Lyn Luzerne County Pennsylvania

[Board of Trustees of Allentown State Hospital

Board of Trustees of Danville State Hospital

Board of Trustees of Farview State Hospital

Board of Trustees of Harrisburg State Hospital

Board of Trustees of Norristown State Hospital

Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital

Board of Trustees of Torrance State Hospital

Board of Trustees of Ashland State Hospital

Board of Trustees of Blossburg State Hospital

Board of Trustees of Coaldale State Hospital

Board of Trustees of Connellsville State Hospital

Board of Trustees of Hazleton State Hospital

Board of Trustees of Locust Mountain State Hospital

Board of Trustees of Nanticoke State Hospital

Board of Trustees of Philipsburg State Hospital

Board of Trustees of Scranton State Hospital

Board of Trustees of Shamokin State Hospital

[Board of Trustees of Laurenton State Village

Board of Trustees of Pennhurst State School

Board of Trustees of Polk State School

Board of Trustees of Selinsgrove State Colony for Epileptics

Boards of Trustees of such institutions as are acquired by the Commonwealth from any county city or institution district and are used as State mental hospitals under the provisions of act number twenty-

one approved the twenty-ninth day of September one thousand nine hundred thirty-eight]

Provided That from and after the third Tuesday of January one thousand nine hundred and forty-seven and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred and forty-nine the successors to each of the above mentioned members shall be appointed for terms of six years and all appointments thereafter shall be for terms of six years except those to fill vacancies created prior to the end of any term which shall be only for the duration of the unexpired term

Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers

(b) From and after the third Tuesday of January one thousand nine hundred forty-nine the terms of the first two members to be appointed to the following boards of trustees shall expire on the third Tuesday of January one thousand nine hundred fifty the terms of the next two members to be appointed shall expire on the third Tuesday of January one thousand nine hundred fifty-one the terms of the next two members to be appointed shall expire on the third Tuesday of January one thousand nine hundred fifty-two and the terms of the next three members shall expire on the third Tuesday of January one thousand nine hundred fifty-three the successors to each of the above mentioned members shall be appointed for terms of four years and thereafter the terms of the members of each of said boards shall be four years and until their successors are qualified

Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Selinsgrove State Colony for Epileptics
Board of Trustees of Clarks Summit State Hospital
Board of Trustees of Embreeville State Hospital
Board of Trustees of Hollidaysburg State Hospital
Board of Trustees of Mayview State Hospital
Board of Trustees of Philadelphia State Hospital
Board of Trustees of Retreat State Hospital
Board of Trustees of Somerset State Hospital
Board of Trustees of Woodville State Hospital
The terms of the first appointees of the Board of Trus-

tees of any institution hereafter acquired by the Commonwealth from any county city or institution district and used as State mental hospitals under existing law shall be staggered in the manner provided by this subsection

Section 10 Said act is hereby further amended by adding thereto after Article XXI a new article to read as follows

Article XXI-A

Powers and Duties of the Department of Mental Health and Its Departmental Administrative Boards

Section 2101-A Powers and Duties in General The Department of Mental Health subject to any inconsistent provisions in this act contained shall exercise the powers and perform the duties heretofore by law vested in and imposed upon the Department of Welfare the Secretary of Welfare the former Department of Public Welfare and Commissioner of Public Welfare which are incident or related to the institutions herein placed under the jurisdiction of this department or the execution and enforcement of laws relating to the care custody and treatment of mental patients the mentally ill mental defectives and epileptics other than the inmates of the Pennsylvania Institution for Defective Delinquents together with such other powers and duties vested in and imposed upon the Department of Mental Health by law

Section 2102-A Definitions As used in this article (a) "State Institutions" shall mean and include all institutions for mental patients and "mental patient" being such as defined in section one hundred and three of the Mental Health Act of 1923 except the Pennsylvania Institution for Defective Delinquents maintained in whole by the Commonwealth and whose boards of trustees are departmental administrative boards within the Department of Mental Health (b) "Supervised Institutions" shall mean and include all houses or places in which any mental patient is detained whenever the occupant or owners of the house or person having charge of such mental patient receives any compensation for custody control or attendance other than as an attendant or nurse and also all institutions houses or places in which more than one such person is detained with or without compensation paid for custody or attendance

Section 2103-A Supervisory and Licensing Powers The Department of Mental Health shall have supervision over all State Institutions and all Supervised Institutions as defined in this article and shall license applicants desiring to care for mental patients other than State institutions as provided by law

Section 2104-A Western State Psychiatric Institute and Clinic The Department of Mental Health shall manage and control the same and shall have such powers and duties with respect thereto as provided by law

Section 2105-A State Institutions With regard to State Institutions the Department of Mental Health shall have the power and its duty shall be

(a) To determine the capacity of such institutions

(b) To determine and designate the type of person to be received by such institutions the proportion of each type to be received therein and the district from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such institutions for the payment out of moneys specifically appropriated to the department for the purpose of expenses of administering operating and maintaining and developing such institutions

(d) To require the submission to the Department of any contract for repairs alteration and equipment which any such institution desires to make and to approve or disapprove such proposed contract No such contract shall be valid without the approval of the department as evidenced by the signature of the Secretary of Mental Health

(e) To set standards of professional care and maintenance of patients

Section 2106-A Rules and Regulations The Department

of Mental Health shall have the power to make and enforce rules and regulations as follows

(a) Providing for the licensing of all houses or places on which any person can be lawfully detained as a mental patient upon compensation paid to or received by the owner or occupant of such house or place directly or indirectly for the care of such mental patient and also of all houses or institutions in which more than one mental patient is detained or resides other than a jail or prison

(b) To insure the proper care and treatment of mental patient detained in any house place or institution to guard against the improper or unnecessary detention of such persons to regulate the manner of their detention and the restraints imposed and all matters relative to their welfare to regulate their means of communication with relatives friends and other persons outside the house place or institution of detention and to insure to them the admission of all proper visitors being members of their families or personal agents or attorneys

(c) Regulating the forms to be observed warranting the commitment transfer of custody and discharge of all mental patients other than those committed by order of a court of record and as to these with the consent of the presiding judge of the court under whose order the person is detained

(d) For the approval of psychopathic wards maintained by hospitals for the reception and care of mentally ill persons

(e) Providing for the inspection and licensing of psychiatric clinics

Section 2107-A Mental Health The Department of Mental Health shall have the power and its duty shall be

(a) To administer and enforce the laws of this Commonwealth relative to the prevention of mental diseases mental defects epilepsy and inebriety the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epilepsy and the transfer discharge escape interstate rendition and deportation of mental patients

(b) To provide for the establishment and operation of psychiatric clinics for adults and for children

(c) To provide for the investigation of children who are excluded from school because of mental defect

(d) To provide for an in-service training program for the training of its officers and employees including the officers and employees of the institutions under its jurisdiction

(e) To provide for a program of research and study relating to mental patients including the cause effect and prevention thereof It shall issue from time to time reports and statistics showing the results of such research

(f) To appoint the members of the departmental staff in conformity with the qualifications established by the State Board of Mental Health

Section 2108-A Mental Health Visitations and Inspections The Department of Mental Health shall have the power and its duty shall be

(a) To make and enforces rules and regulations for the visitation examination and inspection of all State and supervised institutions

(b) To visit and inspect at least once in each year all State and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care or treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officers or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein and as far as circumstances may permit each patient desiring it should be given an opportunity to

converse with the examining physician without the presence of any official or attendant connected with this institution

For these purposes the Secretary of Mental Health or other officer inspector or agent of the department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State or supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State or supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employees are hereby directed and required to give to the Secretary of Mental Health or to such officer inspector or agent of the department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and inspection of any State or supervised institution any condition is found to exist therein which in the opinion of the department is unlawful unhygienic or supervised institution or to the proper maintenance custody safety and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State or supervised institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers shall fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceeding to enforce compliance therewith or the department may withhold any State money available for such institutions until such officer or officers comply with such direction

(d) To cause to be visited and examined any person found by an inquisition to be mentally ill and to authorize such visiting and examining by an officer or agent of the department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such mentally ill person or to a judge of a court of common pleas of the county in which the mentally ill person is a resident or detained to make such orders for the maintenance custody or care of the mentally ill person and for the care and disposition of the property of the mentally ill person as the case may require

(e) Nothing in this article shall be construed to deny or revoke a license of an applicant or licensee because of the fact that the owner or occupant of the house place sanitarium or institution where mental patients reside or the person having charge of such mental patients is an adherent of and relies upon treatment by proper or spiritual means in accordance with the creed or tenets of any well recognized church or religious denomination Provided the house place sanitarium or institution is lawfully hygienic and properly maintained so as to afford safe custody

Section 2109-A Transfer Parole or Discharge of Patients The Department of Mental Health shall have the power

(a) To join with any other department having jurisdiction in application to the proper court for the transfer or removal of mentally ill persons from county or district poorhouses almshouses hospitals or in the custody of the director or overseers of the poor to the State hospitals for the mentally ill

(b) To transfer patients or inmates from one State hospital for mental patients to another such hospital

(c) To transfer a committed mentally ill person from a licensed private hospital or institution to a State hospital and vice versa

(d) To join with any other department having juris-

diction in application to the proper court for the removal to a hospital for the mentally ill of any person imprisoned in a penitentiary or prison and believed to be mentally ill

(e) To transfer a committed inmate from one type of institution under the supervision of the department to another type of institution under its supervision

(f) To investigate and be heard before an order is made in any case to remove to any place of custody other than a hospital any criminal confined in a hospital for the mentally ill by order of any court or any mental patient committed to a hospital after an acquittal of crime

The cost of the transfer or removal and of the maintenance of any mentally ill person transferred by or under the direction or upon the application of the Secretary of Mental Health or other officer of the department pursuant hereto shall be borne and paid in the manner provided by law in the case of any such transfer or removal

All traveling expenses of indigent mental patients discharged by order of the department from any State respective homes shall be paid by the hospital the amount hospital for mental patients from the hospital to their respective homes shall be paid by the hospital the amount thereof to be refunded to such hospital from the appropriation for the care and relief of such indigent mental patients then current

(g) To order and compel the parole or discharge of any person detained in any place as a mental patient other than a person committed after trial and conviction for crime or by order of court but the department shall not make any such order unless notice be given to the person having charge of the building in which and to the person or persons at whose instance the patient is detained and reasonable opportunity given them to justify a further detention and the department has caused the case of the patient to be personally attended and examined by its officer or agent

Section 2110-A Recommendations The Department of Mental Health shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein whereupon it shall be the duty of such officers or other persons to adopt and put into practice such standards and methods

Section 2110-B The State Board of Mental Health The State Board of Mental Health shall have the power and its duty shall be

(a) To advise the Secretary of Mental Health

(b) To recommend such reasonable rules and regulations not contrary to law as may be deemed by the board necessary for the proper performance of the work of the Department of Mental Health and such rules and regulations when made by the Board and approved by the Secretary of Mental Health shall become the rules and regulations of the department

(c) To recommend changes in existing laws or new legislation on approval of the Secretary of Mental Health

Section 2111-A Boards of Trustees of State Institutions The Board of Trustees of each State institution within the Department of Mental Health subject to the rules and regulations of the department shall have general direction and control of and shall exercise supervision over the property and management of the institution or institutions for which it was appointed It shall have power and its duty shall be

(a) Subject to the approval of the Secretary of Mental Health to appoint a superintendent of the institution who shall subject to the authority of the board administer the institution in all its departments If such approval or disapproval of a superintendent appointed by the board is not made in writing by the secretary within fifteen (15) days after notice thereof such appointment shall be considered final

(b) On nomination by the superintendent from time to time to appoint such officers and employees as may be necessary

(c) To fix the salaries of the employees in conformity with the standards established by the Executive Board and the Civil Service Law

(d) Subject to the approval of the Secretary of Mental Health to make such by-laws rules and regulations for the management of the institutions as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown
Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane at Torrance

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The foregoing powers shall also be exercised by the following boards of trustees of the respective institutions for which they are appointed which have been acquired by the Commonwealth from the various counties cities or institution districts for use as State mental hospitals and by the boards of trustees of any institutions hereafter acquired by the Commonwealth for State Mental Hospitals

Board of Trustees of Clark's Summit State Hospital

Board of Trustees of Embreeville State Hospital

Board of Trustees of Hollidaysburg State Hospital

Board of Trustees of Mayview State Hospital

Board of Trustees of Philadelphia State Hospital

Board of Trustees of Retreat State Hospital

Board of Trustees of Somerset State Hospital

Board of Trustees of Woodville State Hospital

Section 11 Sections two thousand three hundred one and two thousand three hundred two of said act are hereby amended to read as follows

Section 2301 Powers and Duties in General The Department of Welfare shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said department the Secretary of Welfare and the former Department of Public Welfare and Commissioner of Public Welfare except such powers and duties which are by this amendment transferred to the Department of Mental Health or which pertain to any of the functions of the Department of Mental Health as herein provided

Section 2302 Definitions As used in this article

(a) "State Institutions" shall mean and include all penal reformatory institutions [hospitals for the insane or any other institutions for feeble-minded or epileptic or] institutions for juvenile delinquents and dependents and charitable institutions within this Commonwealth

maintained in whole by the Commonwealth and whose boards of trustees are departmental administrative boards within the Department of Welfare

(b) "Children's Institutions" shall mean any incorporated or unincorporated organization society corporation or agency public or private which may receive or care for children or place them in foster family homes either at board wages or free or any individual who for hire gain or reward receives for care a child unless he is related to such child by blood or marriage within the second degree or any individual not in the regular employ of the court or of an organization society association or agency duly certified by the department who in any manner becomes a party to the placing of children in foster homes unless he is related to such children by blood or marriage within the second degree or is the duly appointed guardian thereof

(c) "Maternity Home and Hospital" shall mean any house home or place in which within a period of six months any person receives for care or treatment during pregnancy or during or immediately after parturition more than one woman except women related to such person by blood or marriage within the second degree

(d) "Supervised Institution" shall mean any charitable institution within the Commonwealth which receives financial assistance from the Commonwealth either directly or indirectly and to which the Governor does not appoint any member of the board of inspectors managers trustees or directors [all houses or places within the Commonwealth in which any person of unsound mind is detained whenever the occupant or owner of the house or person having charge of such person of unsound mind receives any compensation for custody control or attendance other than as an attendant or nurse and also all institutions houses or places in which more than one such person is detained with or without compensation paid for custody or attendance] all children's institutions and maternity houses and hospitals within the Commonwealth all homes or hospitals for crippled children within the Commonwealth except the State Hospital for Crippled Children all prisons jails hospitals almshouses or poor-houses maintained by any county city borough township or poor district of this Commonwealth and all institutions associations and societies within this Commonwealth into whose care the custody of delinquent dependent or neglected children may be committed and all houses and places maintained by such institutions associations or societies in which such children may be kept or detained

(e) No definition provided by this section shall be construed to include any hospital or institution for the insane or for mental diseases or mental defectives or for epilepsy

Section 12 Clause (d) of section two thousand three hundred four of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) are hereby repealed absolutely

Section 13 Section two thousand three hundred eighteen of said act as last amended by the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1214) is hereby further amended to read as follows

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employees as may be necessary

(c) To fix the salaries of its employees in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions

shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees at Graterford of the Maximum Security Prison at Graterford and the Medium Security Prison at Graterford

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview only until the Pennsylvania Industrial School is established at Rockview or until the Pennsylvania Institution for Delinquent Defectives is established at Rockview

Board of Trustees at Rockview of the Minimum Security Prison at Rockview

The Pennsylvania Industrial School at Rockview

The Pennsylvania Institution for Delinquent Defectives at Rockview

Board of Trustees of Pennsylvania Institution for Defective Delinquents And upon the establishment of the Medium Security Prison at Huntingdon to be known as the Board of Trustees at Huntingdon for the Medium Security Prison at Huntingdon

Board of Trustees of the Pennsylvania Industrial School at Camp Hill Cumberland County Pennsylvania

Board of Trustees of the Pennsylvania Training School for Girls of the Pennsylvania Training School for Girls

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School at Morgantown of Pennsylvania Training School at Morgantown

Board of Trustees of Pennsylvania Training School at Kiskimuncie of the Pennsylvania Training School at Kiskimuncie in Luzerne County Pennsylvania

[Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown]

[Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania]

Board of Trustees of Fairview State Hospital of State Hospital for the Criminal Insane at Fairview

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital of Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal region of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

[Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

The foregoing powers shall also be exercised by the respective boards of trustees of institutions acquired by the Commonwealth from any county city or institution district for use as State mental hospitals under the provisions of act number twenty-one approved the twenty-ninth day of September one thousand nine hundred thirty-eight]

Section 14 Section two thousand three hundred nineteen of said act as amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-five (P. L. 63) and by the act approved the seventeenth day of April one thousand nine hundred forty-five (P. L. 245) is hereby repealed absolutely

Section 15 All employees of the Department of Welfare on the effective date of this amendment whose duties are connected with any of the functions powers duties or institutions transferred by the provisions of this amendment to the Department of Mental Health shall become employees of the said department and shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions by the said department in the manner provided by law

Section 16 The following acts and parts of acts and their amendments are hereby repealed insofar as they relate to the Department of Welfare or the Board of Public Charities

Subsection (3) of section two hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" which was added by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 151)

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 1199) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SARRAF. Mr. Speaker, as a physician I desire to discuss House Bill 1062. I am speaking on a non-partisan basis and from the standpoint of a doctor's knowledge and experience in the treatment of suffering human beings.

The bill as now written permits anyone to be appointed the Secretary of Mental Health.

The question of improving the health services to the people of this Commonwealth has come to the foreground so emphatically that the administration of any health program requires careful scrutiny, on the part of legislative bodies, in order that they can assure the citizens the best type of service. Therefore, in the administration of these programs proper qualifications of those in charge should be included in any measure in order to guarantee the people of this Commonwealth the highest type of service. This cannot be accomplished unless the administrative authorities are properly qualified.

To say that physicians are not good administrators is not exactly correct. There are many men in this state who have proven themselves to be not only good doctors of medicine, but excellent administrators.

The pre-professional educational requirements of physicians today is just as high as any other profession or business. Physicians are constantly in contact with individuals in all walks of life. With their educational background and practical experience they can absorb in a very short time considerable administrative ability, and at least have sufficient knowledge to employ individuals who are capable, and hold them responsible for carrying out a high quality of service, in an administrative capacity.

The patients of mental institutions are the first consideration. They should be provided with the very best facilities for their physical comfort and medical treatment. This can be accomplished only under the supervision of a properly trained individual, namely, a doctor of medicine, who is otherwise qualified.

At the present time the bureau of mental health is in the Department of Welfare. This bureau has practically the same administrative authority as provided for in House Bill 1062. The bill, is to a large extent, a rewriting of the "Mental Health Act". At present, Dr. H. A. Bengs, is chief of the bureau. He graduated with high honors from the University of Pennsylvania with an "A. B." in 1927 and an "M. D." in 1930. He spent ten years as clinical director at the Warren State Hospital. The doctor has been chief of this bureau for the past three years. He is a man properly trained, and is a very capable psychiatrist and administrator. His salary is about \$7,500 a year. This is a reduction of several thousand dollars from that which the previous incumbent—Dr. Sandy—received.

Until about 1931 there were about sixteen clerks in this bureau. At the present time there is a reduction to eight clerks—this small group of capable, energetic individuals carried on their shoulders the responsibility of this bureau since 1932 and during the trying period thru the second world war, when personnel was difficult to obtain and work greatly increased.

It does not seem to me to be conducive to a high state of morale for these individuals to work under the cloud of having a change in administration concerning which they have very little to say, and which may completely revolutionize the whole set-up and retard the present plans of this bureau in the Department of Welfare.

This bureau, together with the Department of Property

and Supplies, is charged at present with an expansive building program and the training of personnel. They are all ready to proceed and should not be interrupted. I cannot see the necessity for creating a new Department of Mental Health at this time. The immediate efforts should be to increase the efficiency of all the departments and bureaus, administering health programs. This can be accomplished by increasing salaries, obtaining more and efficient personnel, and giving them some assurance of security in their positions. This will be more economical and more rapid in the consummation of better service to the people of our state.

When the efficiency of the departments administering health services to the people of this state is increased, it may be possible to place all health activities in a strong and efficient—Department of Health—but until such time I am opposed to the creation of any new departments—because, in my opinion—it will be more expensive and difficult to tear down our present structure and build an entirely new one, than it would be to improve and remodel our present one.

May I repeat, let us proceed as rapidly and as economically as possible to improve the services for these unfortunate individuals, which in the past we all know have been sadly neglected. Let us do this in an orderly, practical manner by increasing the efficiency of present administrative bodies, giving them the tools to do the job.

I have the utmost respect for the Governor and were he able to succeed himself and I felt sure this was not a political football I would go along, but when you remove this qualification from the head of this department, I think it is unfair and I don't think it would function. When you have an Attorney General appointed he must be a lawyer, and there are specifications which should be met by the head of this Department.

MOTION TO RECOMMIT

Mr. SARRAF. I, therefore Mr. Speaker, move that this bill be recommitted to the Committee of Public Health and Sanitation for further study and possible amendments.

On the question,

Will the House agree to the motion?

Mr. BRUNNER. Mr. Speaker, I rise in opposition to this motion.

The SPEAKER. Does the gentleman from Montgomery desire to debate the bill or the motion to recommit?

Mr. BRUNNER. I think I just desire to debate the motion to recommit. Mr. Speaker, on second thought, I would like to answer the objections of the gentleman from Allegheny, Dr. Sarraf, and at the same time oppose the motion to recommit.

The SPEAKER. Will the gentleman from Allegheny, Dr. Sarraf, withdraw his motion temporarily to recommit so that the merits of the bill can be discussed at this time?

MOTION TO RECOMMIT WITHDRAWN

Mr. SARRAF. Yes, Mr. Speaker, I will withdraw the motion.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

Mr. BRUNNER. Mr. Speaker, I have listened with great interest to the statement of the gentleman from Allegheny, Dr. Sarraf. House Bill 1062 is the result of a long, careful study by a committee of citizens of Pennsylvania who have taken into consideration the mental health and mental hospital set up in the State. After the bill was prepared there was serious consideration given to the qualifications of the secretary of this new department.

I agree with the gentleman that it is an important project; I agree with the gentleman that this bill is far reaching and that in establishing a separate department it is only to be done because of our profound hope that in so doing the welfare of the forty thousand inmates of the various institutions in Pennsylvania will be benefited.

Early this year I had an opportunity to make an independent survey of the mental hospitals with regard to certain features. I inquired of the Superintendents of the various hospitals as to the types of admissions in 1945 and 1946. I inquired and obtained other information which has had the result of leading me to the personal conclusion that it is vitally necessary that these hospital facilities come under another department devoted to the administration of the welfare of the patients.

By coincidence this bill was given to me for introduction, and I take considerable pride in that fact because I believe firmly in what it seeks to do.

I likewise believe that when a separate department of mental health is created that the welfare of the forty thousand patients will be greatly benefitted. I do not agree with the gentleman that every secretary who is a member of the cabinet under this bill must have professional qualifications. I would have no objection to a medical man being Secretary of Mental Health if I thought that in so doing the best interests of these patients would be served, but we need a good business man, we need a good administrator, we need a man who is able to run all these institutions for the benefit of the patients, and I sincerely present to you the conclusion that it is not vitally necessary that a doctor of medicine be Secretary of Mental Health, and for that reason ladies and gentlemen, I ask you to support this measure.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Montgomery whether I understand correctly that this is to create a new department and a new cabinet head under the Administrative Code?

Mr. BRUNNER. That is correct, Mr. Speaker.

Mr. TURNER. I thank the gentleman.

Mr. Speaker, I am in hearty accord with the objectives of this bill, as I think we must all be, however, I differ on the creation of a new department in the state government.

There has been a necessity for years under our state government to streamline and reduce the number of departments. We have so many now that the cabinet members can hardly find room in the rooms set aside in the executive offices for the purpose of a meeting. As far back as 1933 we tried to streamline this state government, and to consolidate certain functions in order that we might

reduce the number of agencies and reduce overlapping functions.

I came into this Legislature shortly after the Department of Welfare was created, and I have seen it grow by stupendous strides. During my time in this Legislature we created a new department of Public Assistance for which I could see no use. I believe that instead of creating new departments we ought to study our state government to the end that we might reduce the number of departments, setting up divisions and bureaus within a large department headed by a real executive, each division and bureau being headed by the technical experts that are necessary to carry out the functions.

I know that a very great many fine people in the Commonwealth of Pennsylvania have studied this problem and want to see this bill passed, but on the other hand I cannot be unmindful as a member of the Appropriations Committee, and as a member of this Legislature who has studied its fiscal affairs, that we have a mounting cost of government until today we are having to use expedient measures in the matter of sources of taxation to create revenues in order to carry on our functions.

Every time you create a new department of government, whether you intend it or not, it grows like a snowball, it increases in size, each has its separate auditors and accountants, each has its separate public relations department and each has several functions that overlap, and in the end costs the State a great amount of money.

In 1933 we had hoped to reduce the cost of the executive branch of our government by ten million dollars, and I am confident that if we would attempt to streamline it today, if we would bring into executive position men of wide executive experience to head our departments and bureaus, leaving to the technicians, the experts and the professionals the operation of the bureaus and divisions under them, that we could effect the saving that is so sorely needed by the Commonwealth.

You are going to face in the next two bienniums the need for at least one to two hundred million dollars more money than you need in this biennium.

We have need for a tremendous program for the mentally ill. We know that there are forty-two million dollars now that would have to be transferred to this department, and that is only the beginning of this mental health program. Therefore, one of the ways by which we can get money to help carry on the service which the people of the Commonwealth demand should begin at home by streamlining our state government, because as soon as you create a department it becomes tremendously difficult, as I found out in 1933, to try to dislodge them from the vested interest which they seem to hold in their different departments and bureaus and divisions.

Each one comes before our Committee and say, "It's all right to cut the schools, but not agriculture." Then the schools would come in and say, "It's all right to cut agriculture but don't cut the schools." Welfare would say, "You can't cut welfare; cut it over in Mines and Mining or in Labor and Industry or some other place." We will never get these people out of that position unless we streamline our state government. The place to start that is right here in declaring that we will not have any more departments, that we will not have any more cabinet heads until we have tackled the job of stream-

lining. For that reason I am going to support the motion which the gentleman from Allegheny will make.

Mr. SARRAF. Mr. Speaker, I yield to Mr. Andrews who may want to talk on the bill. Is my motion in order?

The SPEAKER. Unless the gentleman from Cambria desires to be recognized.

Mr. ANDREWS. Mr. Speaker, I desire to discuss the motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Dr. Sarraf.

MOTION TO RECOMMIT

Mr. SARRAF. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation for further consideration and possible amendment.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, over the years I have frequently found myself in disagreement with the Committee on public health legislation of the Medical Society of the state of Pennsylvania, and I had always hoped that the time would come when I could be in agreement with some of the proposals that that association makes. So when I hold in my hand a letter from a spokesman of that association who suggests that this bill either be sent back to committee or defeated in its present form I am glad to give consideration to that request.

The Committee in charge of this bill may have had a good measure, but for some reason that I cannot understand they permitted their front to be broken at a critical point. Indeed they permitted their front to be broken at two critical points.

The bill as originally framed to my mind correctly specified that the qualifications of the proposed Secretary of Mental Health be that he "shall be a doctor of medicine and shall have had at least ten years experience as a practicing physician in the treatment of mental diseases and administration of mental hospitals and mental health programs and shall be eligible for certification as a diplomate of the American Board of Psychiatry and Neurology."

I submit to you gentlemen of the House that if you are creating a Department of Mental Health that the bill correctly describes the sort of person that should head it, and that it was a grievous error to delete those specific scientific qualifications from what should be one of the noblest experiments this Commonwealth has undertaken.

Now, I submit to you further that you are creating a bureau of Mental Health without any place to put it, and you are demolishing a functioning bureau without having the trained personnel with which to equip your department of mental health.

Prudence would require that at least you see to it that this bureau continues to function at high speed and with high paid personnel until such time as you have a place to put your department of mental health.

Further, Mr. Speaker, there is to my mind at the present time another crippling amendment in this bill, put in there at our last session as a result of concessions to a very estimable group of people who have their own notions, but when you amended this bill, this

mental hospital bill to take care of a particular constituency you opened the door to no one knows what kinds of evil, because I say to you if one religious group on religious grounds can start their own mental health institution, any other religious group on religious grounds can do the same thing it will come about that a very considerable portion of your treatment program is in the hands of the unskilled rather than the hands of those who represent modern science.

However, it is because of the fact primarily that the present bill deletes the qualifications that the head of the Department of Mental Health should hold, and because there is not as yet any place to put a Department of Mental Health that I support the motion to recommit this bill for correction and further study.

Mr. BRUNNER. Mr. Speaker, I rise in opposition to this motion. I think that as a result of this committee's study to which I referred earlier this afternoon, composed of lawyers, judges, doctors, physiatrists and prominent citizens who studied the Welfare Department of the Commonwealth of Pennsylvania—and I am quoting from the testimony at the public hearing, and as a result of this study decided that a separate Department of Mental Health was needed, and that Pennsylvania would do well in the serious situation it has at hand to take the lead along with New York, Massachusetts and Michigan to have separate departments.

I agree with the gentleman from Cambria that it was unfortunate that an amendment had to be introduced into this bill to protect one worthy organization, which may permit others to profit by it, but I submit that with proper administration that is secondary. The prime thing is a proper administration of the separate Department of Mental Health in Pennsylvania for the good of the thousands of inmates of these institutions.

I think this committee's findings are correct, that a separate Department is necessary. I think that a good administrator at the head need not be a physician, and for that reason I ask that the membership of this House vote down this motion.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. ANDREWS. Was not the definition of the qualification of the men who should head this Department of Mental Health framed by the friends of the measure?

Mr. BRUNNER. That is correct, Mr. Speaker.

Mr. ANDREWS. I thank the gentleman.

Mr. BRUNNER. May I add in explanation, however, that one of the framers was a former Justice of the Supreme Court of the United States, Owen J. Roberts, who was acquainted with this provision being deleted before the amendment was prepared and inserted in the bill.

Mr. FISS. Mr. Speaker, I merely want to raise the question as to the recommitment of the bill to Public Health and Sanitation.

The Committee on State Government had a very thorough discussion of this measure. Now, why we should recommit a bill to the Committee on Public Health and Sanitation when the bill was originally referred to

the Committee on State Government, I cannot understand, because certainly the Committee on State Government is thoroughly familiar with all the things incorporated in this bill. So it would seem grossly unfair to the Committee on State Government now to recommit this bill to the Committee on Public Health and Sanitation. I hope that the Members will support the Committee on State Government, who were willing to sit for a number of hours in discussion of this measure.

Mr. SARAFF. Mr. Speaker, I appreciate the remarks of the Chairman of the Committee on State Government. I am very sorry. I should have said to recommit to the Committee from which it came.

The SPEAKER. The chair would like to remind the gentleman that the Chairman of the Committee on State Government is the gentleman from Schuylkill, Mr. Watkins. The gentleman from Snyder, Mr. Fiss is a very good member.

Mr. SARAFF. Mr. Speaker, that was no attempt to bury the bill. The intention on my part when I spoke as a physician, was to keep this politically free as possible.

As I stated before, if the Governor could succeed himself, I have the utmost faith in the appointments made by this Governor, I feel sure that he will appoint an individual, even though it is bad legislation to go through this House that a cabinet member need not be qualified, I would still stay with the Governor and admit that he will appoint a capable individual.

Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Brunner?

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BRUNNER. I shall, Mr. Speaker.

Mr. SARAFF. Mr. Speaker, in the provisions of this bill is it not true that the Secretary of Mental Health must sit in on the purchasing of various equipment and materials named under this bill?

Mr. BRUNNER. Mr. Speaker, I would say no.

Mr. SARAFF. Did the gentleman say, no? Does he not sit ex-officio with the members of this board in carrying out the projects?

Mr. BRUNNER. That is true, Mr. Speaker.

Mr. SARAFF. Does the gentleman know whether in the provisions of this bill this board of seven members sits all the time, Mr. Speaker?

Mr. BRUNNER. I do not, Mr. Speaker.

Mr. SARAFF. I thank the gentleman.

Mr. Speaker, if a problem came up which was a psychiatric problem wherein the mass transportation of patients is decided upon, if the board is not present to advise this capable administrator who is not a doctor, I just wonder what would happen. Then again if we were to transfer from another State inmates who are citizens of our State and if they were suffering from a form of dementia and were put before this Secretary of Mental Health, I wonder if he would run out and get the board to meet to see what it meant.

I think this bill, the intention of it and the study of it has gone a great deal into the field, and has its merit, but I do think as I stated before that we can do much better at present, and as my colleague, Mr. Turner, said, we can make a stronger Department of

the Department of Welfare with the Mental Secretary under it than this bill in its present form.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Dr. Sarraf.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. SARRAF. I shall, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I desire to ask the gentleman from Allegheny if under the original bill he would be qualified to be Secretary of Mental Health.

Mr. SARRAF. Under the original bill, no, Mr. Speaker.

Mr. O'CONNOR. I thank the gentleman from Allegheny.

Mr. Speaker, as a member of the State Government Committee which studied this bill and conducted the public hearing, I had the good doctor from Allegheny in mind when I insisted that we change that provision in the bill. At the hearing attended by many prominent psychiatrists of this State it was brought out very vividly that there was a scarcity of psychiatrists, particularly of the type that we have specified in the provisions of this bill, and it was freely admitted that there were other well qualified medical men who could not qualify as a psychiatrist but who would be able and efficient men to be Secretary of Mental Health. It was also emphasized in Committee, Mr. Speaker, that to hold this position as Secretary of Mental Health in the Governor's Cabinet, one need not be a psychiatrist, he need not be a specialist in the profession that he represents, to be a Cabinet Officer to my knowledge. In the time that I have served as a Member of this House we have never had a member of a local union as Secretary of Labor. We have progressed and I don't think that this bill should be recommitted to us for the reason that the question raised here was given adequate study when we had it before.

On the question recurring,

Will the House agree to the motion?

The Speaker declared the nays appeared to have it.

Whereupon, a division was called for, 24 members voting in the affirmative and 160 in the negative the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—172

Aaronson,	Gibson,	Madden,	Royer,
Andrews,	Goff,	Madigan,	Sax,
Baumunk,	Goodling,	Mazza,	Scott,
Beech,	Gorman,	McCormack,	Shoemaker,
Bender,	Graybill,	McCosker,	Simons,
Bentzel,	Greenwood,	McCullough,	Smith, C. C.,
Bloom,	Greer,	McDonald,	Smith, C. M.,
Boorse,	Griffiths,	McMillen,	Snider,
Bower,	Guthrie,	Miller,	Sollenberger,
Breisch,	Gyger,	Mills,	Sorg,
Brice,	Hall,	Mintess,	Sproul,
Brown,	Haller,	Mohr,	Stank,
Brunner,	Haudenschild,	Moore, C. E.,	Stimmel,
Cadwalader,	Helm,	Moore, H. A.,	Stockham,
Cassidy,	Henry,	Morrison,	Stonier,
Chudoff,	Hewitt,	Murray,	Stuart,
Clevenger,	Hoffman,	Myers,	Swope,
Cole,	Hoopes,	Naumann,	Tahl,
Cook,	Horan,	Neff,	Thomassy,
Cooper,	Imbt,	Nelson,	Thompson,
Costa,	Jennings,	O'Connor,	Tompkins,
Crowley,	Johnson,	O'Dare,	Toomey,

Dague,	Johnston,	O'Donnell,	Upshur,
Dalrymple,	Jones,	Orban,	Vaughan,
Davidson,	Jump,	Patten,	Wachhaus,
De Long,	Kean,	Pichney,	Waldron,
Demech,	Kelley,	Pickens,	Wallin,
Dennison,	Kemp,	Polaski,	Walton,
Depuy,	Kent,	Price,	Waterhouse,
Dix,	Kline,	Propert,	Watkins,
Dye,	Kohl,	Ragot,	Watson,
Efenberg,	Kratz,	Readinger,	Weidner,
Elder,	Krise,	Reagan,	Weiss,
Evans,	Kurtz,	Resse, R. E.,	Wescott,
Ewing,	Laughner,	Relly, J. M.,	West,
Feola,	Layer,	Relly, W. J.,	Wheeler,
Fish,	Lee,	Richter,	Wolf,
Fliss,	Leisey,	Riley,	Worley,
Flack,	Livingston,	Robbins,	Yeakel,
Fleming,	Livingstone,	Robertson,	Yetzer,
Foor,	Loftus,	Root,	Young,
Frost,	Lovett,	Rose,	Lichtenwalter,
Gallagher,	Lyons,	Rowen,	Speaker.
Getchey,			

NAYS—17

Barrett,	Kirley,	Sarraf,	Turner,
Bonawitz,	Mihm,	Schuster,	Wagner,
Capano,	Mooney,	Serrill,	Wood,
Erb,	Powers,	Tittle,	Yester,
Hocker,			

NOT VOTING—16

Bane,	Cochran,	Najaka,	Reese, D. P.,
Boles,	Cordier,	Needham,	Scanlon,
Bucchin,	McKinney,	O'Neill,	Trout,
Chervenak,	Mikula,	Petrosky,	Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

The SPEAKER. The Chair has a very important telegram to read which had just been received:

"Fellow Members the arrival of a seven pound ten ounce daughter will detain me for a few days. Mother and daughter doing well." David H. Weiss.

The Chair might say there should be a P. S., according to the father he is probably interested in the bill just passed.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection

House Bill No. 1214, Printer's No. 530, was passed over at the request of Mr. JOHNSTON.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1230, entitled:

An Act to regulate the junk yard business in cities of the first class; to provide for the issuance of licenses for each junk yard; prescribing the method and manner of obtaining such licenses and prescribing the fees therefor; prohibiting junk yards within sight of a public highway and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LEE. Mr. Speaker, I move that this bill be recommitted to the Committee on City and County—First Class

for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 47, as follows:

An Act to amend Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provisions respecting the filing of chattel mortgages in prothonotaries' offices

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section I Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" is hereby amended to read as follows

Section 8 (a) Any chattel mortgage executed pursuant to this act may be filed either by filing the original thereof or by filing a true copy thereof duly certified by the prothonotary in whose office the original is filed (1) in the office of the prothonotary for each county in which the chattels or any portion of the chattels are located at the time of filing such chattel mortgage [either by filing the original thereof or filing a true copy thereof duly certified by the prothonotary of the original county and when] (2) if the mortgagor at the time the mortgage is filed as aforesaid resided in this Commonwealth but not in a county in which the chattels or any portion of the chattels are located then also in the office of the prothonotary in the county in which the mortgagor resides For the purpose of determining the place of filing under the provisions of clause (2) hereof the residence of a corporation partnership business trust or other association shall be taken to be at its principal place of business in this Commonwealth Where at the time the mortgage is filed chattels covered thereby are in transit or are intended to be and within a reasonable time are put in transit such chattels are to be taken for the purpose of this section to be located at the place of destination When so filed such chattel mortgage shall constitute a lien on the property described therein and conveyed thereby from the time of such filing which lien shall be good and valid as hereinbefore provided Provided however That in the case of more than one chattel mortgage the first filed shall have priority and be first paid out of the proceeds of the sale of the mortgaged chattels The prothonotary shall maintain a book to be known as the "Chattel Mortgage Book" in which he shall docket each instrument presented to him for filing pursuant to this act and in said docket he shall set forth the date and the hour of filing the name of the mortgagor the name of the mortgagee the amount

advanced or to be advanced and the limit thereof and a brief description of the chattels described in the instrument and the premises upon which such chattels and crops are located and he shall retain the instrument in his office for future public inspection The prothonotary shall likewise maintain a book to be known as a "Chattel Mortgage Index" in which he shall index alphabetically under the names of the mortgagor or mortgagors and the mortgagee or mortgagees all chattel mortgages filed pursuant to this act and on which the date of filing such instrument shall be noted

(b) Any instrument affecting the lien of a chattel mortgage or its ownership may be filed in each office in which the chattel mortgage is filed and from the date of filing thereof each such instrument shall be good and valid as against subsequent purchasers subsequent mortgagees or other subsequent lienors and subsequent encumbrancers with or without notice thereof and the fact and date of filing of each such instrument shall be noted by the prothonotary on the margin of the page on which the chattel mortgage is docketed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. O.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mill,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Willin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

BILL PASSED OVER

There being no objection

Senate Bill No. 282, Printer's No. 69,
was passed over at the request of Mr. SPEAKER.

CONGRATULATORY RESOLUTION

Mr. SORG offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 12, 1947.

Whereas, On April 29, 1947, the able and conscientious Speaker's page, Vincent G. Dick, became the proud father of a son whose name is to be that of his father; and

Whereas, It behooves the House of Representatives to give lasting testimony to the excellent record of the Speaker's page so that the son who bears his name may in the future know that his father, while still a young man, came from Perry County farming country to serve as an able Speaker's page as a step in the ladder of success; therefore be it

Resolved, That the House of Representatives extends its heartiest congratulations to Mr. and Mrs. Vincent G. Dick upon the birth of their son, Vincent G. Dick, Jr.; and be it further

Resolved, That the Chief Clerk of the House of Representatives transmit a certified copy of this resolution to Mr. and Mrs. Dick so that they may preserve the same for the future enlightenment of their first addition to the family.

The SPEAKER. The Chair might say in the words of the gentleman from Westmoreland, Mr. Lovett, "Let's be fair". We had one arrival on the part of the gentleman from Westmoreland on the Democratic side, and a new arrival on the Republican side.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KLINE asked and obtained permission for the Committee on Insurance to meet during the session of the House.

COMMUNICATION FROM THE GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING
HOUSE BILL No. 1148

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution re-

calling from the Governor House Bill No. 1148, Printer's No. 371, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. ORBAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Brown vote on the final passage of this bill?

Mr. BROWN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Somerset, Mr. Orban vote on the final passage of this bill?

Mr. ORBAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Messrs. BROWN and MIHM. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 1004), page 4, line 4, by inserting after the part word "monwealth" the following: "and such funds for which such political subdivisions, or any officer or duly authorized employe thereof, shall act as custodian or trustee."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 439.

An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" further regulating apprentices and students and their registration in such occupation in certain cases.

HOUSE BILL No. 1313.

An Act to amend section one of the act approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence No. 413.

COMMUNICATION FROM THE GOVERNOR

The Secretary of the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 592, 7, 387, 390, 526, 772, AND 863

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 8, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 592, Printer's No. 207, entitled "An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania"

JAMES H. DUFF.

May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 7, Printer's No. 443, entitled "An Act to amend sections one and four of the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 793) entitled 'An act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof' removing exemption regarding railroad locomotives and changing the effective date."

JAMES H. DUFF.

May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 387, Printer's No. 308, entitled "An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-eight (P. L. 73) entitled 'An act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers' providing for the recording of certificates of service issued commissioned officers"

JAMES H. DUFF.

May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 390, Printer's No. 500, entitled "An Act to amend section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' authorizing the granting of the right to maintain radio stations radio towers facilities for skiing roadside rests and devices for flood control and recreational uses on land acquired for the use of the Pennsylvania Game Commission."

JAMES H. DUFF.

May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 526, Printer's No. 177, entitled "An Act to reenact section four hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' providing for the election and term of judges and inspectors of elections."

JAMES H. DUFF.

May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 772, Printer's No. 501, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined' by changing the name of the Thaddeus Stevens Industrial School."

JAMES H. DUFF.

May 9, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 863, Printer's No. 498, entitled "An Act to further amend section three of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 988) entitled 'An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of regis-

tration certificates and regulating the profession of nursing and repealing certain existing laws' further providing for emergency registration of nurses."

JAMES H. DUFF.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 381.

An Act to further amend subsection (f) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," increasing the number of members of The Advisory Health Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is very pleased to see on the sidelines a former Member of the House, the gentleman from Delaware, Mr. William H. Milliken.

REPORT FROM COMMITTEE

Mr. UPSHUR from the Committee on Insurance, reported as amended, House Bill No. 980, entitled:

An Act to further amend section six hundred three and amend section six hundred twenty-two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the licensing of insurance agents and brokers.

COMMITTEE MEETINGS

City and County—First Class, Room No. 521, Tuesday, May 13, 1947, at 12 Noon, D. S. T.

Education, Room No. 324, Tuesday, May 13, 1947, at 11 a. m., D. S. T.

Highways, Room No. 329, Tuesday, May 13, 1947, at 10 a. m., D. S. T.

Judiciary, Room No. 438, Tuesday, May 13, 1947, at 11 a. m., D. S. T.

Labor Relations, Room No. 323, Monday, May 12, 1947, immediately after the session of the House.

Welfare, Room No. 330, Tuesday, May 13, 1947, at 10:15 a. m., D. S. T.

ADJOURNMENT

Mr. MOONEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 13, 1947, at 12:00 Eastern Standard Time.

The motion was agreed to, and (at 5:21 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., TUESDAY, MAY 13, 1947.

No. 55.

SENATE

TUESDAY, May 13, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Butler, Mr. CARR.

As we continue the labors for which we have been chosen by our fellowmen, we ask, O God, that we may not be unmindful of the fact that the laws which we make must be subservient to Thy greater law. We would ask that we might not forget, O God, that the greatest teacher of all time summed this up in saying, thou shalt love the Lord thy God with all thy heart and soul, thy whole strength, thy whole mind, and thou shalt love thy neighbor as thyself.

Aid us, O God, that we may deal wisely and we may act prudently, and that our actions may result in those things which shall tend to the greatest good of all the people of this state. We ask it in Jesus' Name. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. TALLMAN and Mr. DOEHLA, further reading was dispensed with, and the Journal was approved.

CLASS OF TEMPLE UNIVERSITY HIGH SCHOOL INTRODUCED TO SENATE

Mr. STIEFEL. Mr. President, I am privileged to call to your attention the fact that the class in American History and Political Science of Temple University High School, Philadelphia, is visiting today at the State Capitol. There are forty students, headed by Dr. Forrest Horne, who are seated in the gallery.

The PRESIDENT. The Chair welcomes to this session the members of the class of Temple University High School, and trusts you will enjoy your visit with us.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 838
RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 492), entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education, for boys and girls who are employed and for adults, as a function of the public schools of this Commonwealth; and to facilitate the proper organization and administration of such extension education," including recreational or social service for youth and children within the meaning of the term "extension education."

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 47

He also returned to the Senate, Senate Bill No. 47, entitled:

An Act to amend section eight of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of a similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provision respecting the filing of chattel mortgages in prothonotaries' offices.

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 274, entitled:

An Act to amend section four thousand three hundred, two four thousand three hundred three and four thousand three hundred five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," inserting additional provisions relating to retirement, basis for apportionment of pension and payments to pension funds by city.

Which was committed to the Committee on Local Government.

House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled, "General County Law," authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions, and providing that certain expenses are to be paid by the counties.

Which was committed to the Committee on Local Government.

House Bill No. 757, entitled:

An Act to further amend sections five and sixteen of the act, approved the thirty-first day of March, one thousand eight hundred seventy-six (P. L. 13), entitled "An act to carry into effect section five of article fourteen of the Constitution relative to the salaries of county officers, and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants," providing for the time of payment of salaries to county officers.

Which was committed to the Committee on State Government.

House Bill No. 1062, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by further reorganizing the Department of Welfare, and its boards and officers; creating the Department of Mental Health; prescribing its functions, powers, and duties and fixing salaries.

Which was committed to the Committee on Public Health and Welfare.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 12, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 19, 1947, at 3:00 p. m., Eastern Standard Time and when the House of Representatives adjourn this week it reconvene on Monday, May 19, 1947, at 3:30 p. m., Eastern Standard Time.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 47, entitled:

An Act to amend Section 8 of the act approved the first day of June, one thousand nine hundred and forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designing the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," by making further provision respecting the filing of chattel mortgages in prothonotaries' offices.

House Bill No. 362, entitled:

An Act to amend section two of the act approved the eighteenth day of May, one thousand nine hundred forty-five (P. L. 802), entitled "An act to fix the standard weights of containers for wheat and corn flours, corn-meals, hominy and hominy grits; and to provide penalties for the violation of this act," extending provisions of the act.

House Bill No. 439, entitled:

Act to add section five point one to the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "Barbers License Law," further regulating apprentices and students and their registration in such occupation in certain cases.

House Bill No. 494, entitled:

An Act to further amend the act approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled, as amended, "Barbers License Law," by further regulating the practice of barbering, the annual renewal of certificates, and the eligibility requirements for examinations.

House Bill No. 558, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one, (P. L. 682), entitled "Insurance Company Law of 1921," by permitting certain additional insurance companies to come within the provisions thereof.

House Bill No. 1313, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school" increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on State Government, re-reported as committed, House Bill No. 215, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees service excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employe employees of the Pennsylvania Turnpike Commission.

Mr. DOEHLA, from the Committee on Local Government, reported as amended, House Bill No. 345, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions.

Mr. MALLERY, from the Committee on Local Government reported as committed Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," empowering city councils, by ordinance, to define and penalize disorderly conduct.

He also, from the Committee on Local Government reported as committed, House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements, may be paid into a revolving fund and not in the sinking fund.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1066, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

Mr. HEYBURN, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by further regulating the payment in second injury cases.

Mr. WATSON, from the Committee on Labor and Industry, re-reported as committed, Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of emples to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret

ballot and further defining the scope of collective bargaining

BILL REPORTED FROM COMMITTEE

Mr. FRAZIER. Mr. President, as an old-time bowler and realizing the difficulty we have in getting pin-boys, I am very happy to report from the Committee on Labor and Industry, House Bill 645, as committed.

Mr. FRAZIER, from the Committee on Labor and Industry, reported as committed, House Bill No. 645, entitled:

An Act to further amend section five of the act, approved the thirteenth day of May, one thousand nine hundred fifteen, (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors; by forbidding their employment or work in certain establishments and occupations, and under certain specific ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance Officers of School districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," permitting employment of male minors sixteen years of age, or over, in public bowling-alleys.

Mr. MAHANY, from the Committee on Local Government, re-reported as committed, Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age, eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowance

He also, from the Committee on Local Government, reported as committed, House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions

Mr. BARR, from the Committee on Local Government, reported as amended, Senate Bill No. 233, entitled:

An Act to further amend section five hundred four of the act, approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

He also, from the Committee on Local Government, reported as amended, Senate Bill No. 100, entitled:

An Act to further amend the act, approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions," by further regulating the administration and payment of such pensions in certain cases.

He also, from the Committee on Local Government, reported as committed, House Bill No. 1008, entitled:

An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" empowering boards of township commissioners to establish land subdivision regulating

Mr. CARR, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 230, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168, No. 294), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board; prescribing

ing certain penalties," making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active; to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market.

Mr. WADE, from the Committee on Insurance, reported as committed, Senate Bill No. 677, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

He also, from the Committee on Insurance, reported as amended, Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," providing for licensing of excess insurance brokers in all kinds of insurance other than life.

Mr. GELTZ, from the Committee on Insurance, reported as committed, Senate Bill No. 720, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

Mr. WOODRING, from the Committee on Local Government, reported as amended, House Bill No. 57, entitled:

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

RESOLUTION REPORTED FROM COMMITTEE

Mr. RAHAUSER, from the Committee on State Government, to which was referred resolution offered by Messrs. WALKER and DENT, on May 12, 1947, reported the same without amendment, as follows, and was laid on the table:

DIRECTING JOINT STATE GOVERNMENT COMMISSION TO STUDY AND INVESTIGATE TAX AND REVENUE RAISING PROGRAM OF COMMONWEALTH AND REPORT TO NEXT SESSION OF THE GENERAL ASSEMBLY

In the Senate of Pennsylvania, May 12, 1947.

Whereas, The fiscal policy of this Commonwealth has been devised over a period of time in a piece-meal fashion; causing conflicts and duplication of taxation on the same property on the one hand and omissions of taxation on the other hand, and

Whereas, The need of a more harmonious system and method of taxation, particularly with regard to the best method of equitably and effectually reaching all property and subject of taxation which should be required to produce revenue, is self-evident, therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study and investigate the tax and revenue raising program of the Commonwealth with a view of promulgating a new and more efficient fiscal policy, and be it further

Resolved, That the Joint State Government Commission shall report its findings and conclusions to the next regular session of the General Assembly together with such proposed legislation as it may devise to carry out its recommendations.

BILLS INTRODUCED AND REFERRED

Mr. DONLAN (by request) read in his place and presented to the Chair Senate Bill No. 737, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the change of the fiscal year by districts of the second class.

Which was committed to the Committee on Education.

Mr. LLOYD H. WOOD read in his place and presented to the Chair Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor

vehicles imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of a duplicate certificate of title.

Which was committed to the Committee on Highways.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 739, entitled:

An Act to amend clause (c) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by extending the provisions thereof and exempting parish houses from taxation.

Which was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 740, entitled:

An Act to amend clause (a) (3) of section two hundred two of the act approved the twenty-first day of May, one thousand nine hundred and forty-three (P. L. 571), entitled "An act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities and county institution district purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the office of assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessor and other employees; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deed; and eliminating the triennial assessment," by extending the provisions thereof and exempting parish houses from taxation.

Which was committed to the Committee on Local Government.

SENATE CONCURRENT RESOLUTION No. 108 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Concurrent Resolution No. 108, for consideration at this time.

RESOLUTION ADOPTED

The resolution was twice read as follows:

JOINT STATE GOVERNMENT COMMISSION TO SURVEY, INVESTIGATE AND CONSIDER THE NEEDS OF AMENDING THE MENTAL HEALTH ACT

In the Senate, March 3, 1947.

Whereas, The Mental Health Act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), and its amendments, and other laws relating to

the subject, contain numerous inconsistencies and should be carefully studied, revised, and codified in order to make them effective for their intended purposes; therefore be it

Resolved if the House of Representatives concur), That the Joint State Government Commission is hereby directed to survey, investigate, and consider all of the laws relating to mental health, and to revise and restate completely such mental health laws in codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the mental health laws to be introduced at the next regular session of The General Assembly.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

HOUSE CONCURRENT RESOLUTION No. 20 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Resolution No. 20, for consideration at this time.

RESOLUTION ADOPTED

The resolution was twice read as follows:

TREATMENT OF ALCOHOLICS

In the House of Representatives, March 12, 1947.

Whereas, the health of the People of Pennsylvania is of primary concern to the Commonwealth; that the disease of alcoholism affects a substantial portion of its citizens; that there is evidence that the scientific treatment of alcoholics has resulted in their rehabilitation; and that there are inadequate public and private facilities for the treatment of alcoholics in Pennsylvania; therefore be it

Resolved (if the Senate concurs), That the Joint State Government Commission of the Commonwealth of Pennsylvania is hereby directed to make a complete investigation and study of the problems relating to the physiological, psychological, psychiatric, economic and social effects of alcoholism and the treatment and rehabilitation of persons so addicted. The Commission shall gather and compile all pertinent data including clinical experiences observed and noted by existing national, State and civic bodies; and non-governmental, private and non-profit institutions and agencies; shall collaborate with Commissions of other states, and shall make a report of its findings and recommendations, especially as to institutional facilities needed to the General Assembly at its next regular session in the year one thousand nine hundred forty-nine. The Commission shall have the power to outline and report on methods for the dissemination of information to the public concerning the nature of alcoholism and the benefits arising from the scientific treatment of alcoholics.

On the question,

Will the Senate agree to the resolution?

Mr. HOLLAND. Mr. President, in the early part of this session, the gentleman from Butler, Senator Carr, the gentleman from Allegheny, Senator Geltz, and I introduced a bill creating an alcoholic commission to control alcoholism in the state. This bill was written after much study. Much money was spent by the Yale Clinic studying this problem.

The resolution which has just been referred to the Joint State Government Commission is to restudy a problem that has already been settled. About eight or nine states throughout the country have followed the Yale

Clinic report. No study that the Joint State Government Commission could make would equal the study made by the Yale Clinic. It cost over one million dollars to make it, and it was over a number of years that this study was made, and the bill which was presented by Senator Carr, Senator Geltz and I was the result of that study.

Practically all those who were interested in Alcoholics Anonymous and the other groups which believe that alcoholism should be treated as a disease, favor the bill presented by us, and I do not feel that the resolution now referred to the Joint State Government Commission is in good faith, but is simply trying to pass off to another day something we should do today.

The bill which we presented was approved by numerous members of the clergy, by the medical profession, by the psychiatric groups, in fact all the groups, while the resolution just now being sent to the Joint State Government Commission has not had the approval of these groups.

Mr. President, I think we should reconsider this resolution, and consider a bill which is the outcome of much study by those people who have spent plenty of money and have used all the different sources to make a study of the alcoholic problem, not only in this state, but in all of the states.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk return the same to the House of Representatives with information that the Senate has passed the same without amendment.

HOUSE CONCURRENT RESOLUTION No. 29 TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table House Resolution No. 29, for consideration at this time.

CONSIDERATION OF RESOLUTION

The resolution was twice read as follows:

LANDLORD AND TENANT

In the House of Representatives, March 19, 1947.

Whereas, The laws relating to landlord and tenant, eviction proceedings, rent control, and kindred subjects, and the amendments to such laws, contain numerous inconsistencies and should be carefully studied, revised, and codified in order to make them effective and useful for their intended purposes; therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission is hereby directed to survey, investigate, and consider all of the laws relating to landlord and tenant, eviction proceedings, rent control, and kindred subjects, and to revise and restate completely such laws in codified form, and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of the laws relating to landlord and tenant, eviction proceedings, rent control, and kindred subjects to be introduced at the next regular session of the General Assembly.

On the question,

Will the Senate agree to the resolution?

Mr. JASPAN. Mr. President, I am very much in favor of this resolution. However, assuming that the O.P.A. control of rents will expire by December 31, 1947, and there is every likelihood it will expire at that time,

what of the intervening period from January 1, 1948 to sometime in 1949, because it seems to me that then the Governor would have to call a special session, and that would involve the expenditure of hundreds of thousands of dollars, and I say we should amend this resolution to read that a report should be made some time this year.

Mr. TALLMAN. Mr. President, as I understand this resolution, it does not attempt to deal with the problem suggested by the gentleman from Philadelphia, Senator Jaspán, at all.

The purpose of this resolution, as I understand it, is that there may be a study of the existing framework of the landlord and tenant laws covering this subject, which he, as an attorney, should realize are the ordinary subjects covered in existing landlord and tenant laws, and for that reason, since it does not attempt to cover the subject matter that the gentleman from Philadelphia is discussing, the field is wide open for anything that this session of the Legislature may want to do in connection with the subject matter he has in mind.

Mr. JASPAN. Mr. President, I am sorry, I may have heard the resolution incorrectly, and therefore I would ask that the clerk read the resolution again. It is my understanding it refers to rent controls as well as evictions.

(The resolution was again read by the Clerk.)

Mr. JASPAN. Mr. President, I would like to vote for this resolution, but I feel it should be amended as to the effective date.

The PRESIDENT. There is a motion before the Senate.

REQUEST WITHDRAWN

Mr. TALLMAN. Mr. President, I withdraw my request for consideration of the resolution at this time.

The PRESIDENT. The resolution will be laid on the table.

RESOLUTION

DIRECTING THE JOINT STATE GOVERNMENT COMMISSION TO STUDY LAWS RELATING TO GROUP HEALTH AND ACCIDENT INSURANCE AND GROUP LIFE INSURANCE AND REPORT ITS FINDINGS TO NEXT REGULAR SESSION

Messrs. WADE and DENT offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, May 12, 1947.

Whereas, Under the laws regulating group health and accident insurance and group life insurance, every-day problems are becoming increasingly difficult to solve; and

Whereas, The eligibility of various groups desiring insurance coverage of this type and the rights and liabilities of both the insurers and insured under such laws are often in doubt; and

Whereas, Such existing laws and their intended aims should be carefully studied and considered for the purpose of achieving clarification thereof and adaptation to new policies and desired changes; therefore, be it

Resolved, That the Joint State Government Commission is hereby directed to survey, investigate and consider the laws relating to group health and accident insurance and group life insurance, to revise and restate such laws, and to report its findings and conclusions to the next regular session of the General Assembly with bills for introduction embodying the results of its studies.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 13, 1947.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Jasper R. Glover, Pittsburgh, 5301 Fifth Ave. (6).
William M. Patton, McKees Rocks.

BERKS COUNTY

Earl Liever, Reading.
Miss Margaret E. McCullough, Reading.
Harry E. Salzmann, Wyomissing.

ERIE COUNTY

Miss Margaret A. Dalton, Erie.

INDIANA COUNTY

Miss Margaret R. Learn, Indiana.

MONTGOMERY COUNTY

Mrs. Catherine A. Madden, Lower Merion Twp., 780 Lancaster Ave., Bryn Mawr.

PHILADELPHIA COUNTY

Ernest Robert Artur, Phila., 2123 Orthodox St. (24).
Joseph A. Magrath, Phila., 231 Chestnut St.
A. H. Morris, Jr., Phila., 808 Market Street, National Bank Building.
Leon F. O'Neill, Jr., Phila., 8010 Germantown Ave.
Louis Saltzman, Phila., 1528 Walnut St.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. TALLMAN and Mr. MALLERY,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazlet,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Charles D. Hughes, 838 Hurton Street, Dale, Johnstown, Cambria County, as Justice of the Peace in and for the Borough of Dale, Cambria County, until the first Monday of January, 1948, vice Charles H. Berkebile, resigned.

Roger B. Stevens, Pine Creek Lodge, Gaines, Tioga County, as Justice of the Peace in and for the Township of Gaines, Tioga County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

COMMUNICATION FROM THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 342,
PRINTER'S No. 194

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 342, Printer's No. 194, entitled "An act making an appropriation to the Senate and the House of Representatives to pay the expenses of their committees directed to visit State institutions under the supervision of the Department of Welfare."

JAMES H. DUFF.

REPORTS FROM COMMITTEES

Mr. BARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR from the Committee on Local Government, reported as committed, House Bill No. 832, entitled:

A Supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties," providing for the use in counties of the second class of the lot and block descriptive number, in the making of assessments, in the preparation of tax bills and tax receipts, in the filing of liens for delinquent taxes and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties, and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties.

Mr. HEYBURN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN from the Committee on Labor and Industry, re-reported as amended, Senate Bill No. 280, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lock-outs providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract.

SENATE BILL No. 148, PRINTER'S No. 146 RECALLED FROM THE GOVERNOR LAID ON THE TABLE

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 148, Printer's No. 146, entitled:

An Act to amend the act approved the fifth day of June, one thousand nine hundred thirty-seven (P. L. 1703), entitled "An act relating to criminal prosecutions; limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth," providing for the disposition of cases where evidence has been improperly admitted and the court has failed to sustain the demurrer at the close of the Commonwealth's case.

recalled from the Governor, be laid on the table.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 545, as follows:

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceed-

ings the contents of petitions necessary consents hearings and decrees and validating certain adoptions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" as last amended by the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 93) and the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) is hereby further amended to read as follows

Section 1 Be it enacted &c That [it] Contents of Petition for Adoption It shall be lawful for any adult person desirous of adopting any person either a minor or an adult as his or her heir or as one of his or her heirs to present his or her petition to the orphans' court or to a law judge thereof of the county where he or she may be resident or [of] upon allowance by the orphans' court in the county in which the person to be adopted is a resident except that in counties of the first class where the petition shall be presented to a judge of the municipal court declaring such desire and that he or she will perform all the duties of a parent to such person Such petition shall also set forth the name color age date and place of birth and religious affiliation of the person proposed to be adopted the name residence [and] marital status color age occupation and religious affiliation of the adopting parent or parents the name color age and place of residence of each of the natural parents or of the surviving parent or of any other person whose consent to the proposed adoption is necessary as hereinafter provided and in those cases where abandonment is alleged a statement that said abandonment has continued for a period of at least six months In addition such petition shall embody or have attached thereto the consents in writing of the person or persons whose consent to the proposed adoption is necessary as hereinafter provided

Section 2 Section two of said act as last amended and section three of said act as amended by the act approved the second day of July one thousand nine hundred forty-one (P. L. 229) are hereby further amended to read as follows

Section 2 Consents Necessary to Adoption Consent to the adoption is necessary as follows

(a) Of the person proposed to be adopted if over twelve years of age and of said person's husband or wife if any

(b) Of the adopting parent's husband or wife unless they jointly adopt such person

(c) Of the parents or surviving parent of the person proposed to be adopted if such person shall not have reached the age of eighteen years [except that in] If any such parent or surviving parent shall be a minor but shall have reached the age of eighteen years or over his consent shall be sufficient without the consent of his parent or guardian which said consent so given shall not be repudiated thereafter In the case of an illegitimate child the consent of the mother only [is] shall be necessary [unless the father has acknowledged such child but the] The consent of a parent who has been adjudged a [lunatic] person of unsound mind or habitual drunkard or who has abandoned the child [is] for a period of at least six months shall be unnecessary provided such fact is proven to the satisfaction of the court or judge hearing the petition in which case such court or judge shall so find as a fact

(d) If the person proposed to be adopted has no father or mother living or whose consent is necessary hereunder then of the legal guardian if any there be and of the person or persons having the legal custody of such child if any such person can be found but if such child has no father or mother living or whose consent is necessary hereunder and no legal guardian and no person can be found who has the legal custody of such child and the same be proven to the satisfaction of the court or judge hearing the petition the said court or judge shall so find as a fact

(e) If the person proposed to be adopted has theretofore

been adopted then of such adopting parents or surviving adopting parent subject to the same exception provided in clause (c) of this section in the case of natural parents

Section 3 Hearings Upon presentation of any such petition as aforesaid a time for hearing thereon shall be fixed not less than ten days from said presentation which said hearing [may be before the said court or any law judge thereof at chambers and] shall be private or in chambers unless for special reasons the court shall deem it necessary to hear the case in open court Any such hearing may be adjourned from time to time if the nature of the case should so require At said hearing the adopting parents or parent the person proposed to be adopted if in the opinion of the court such persons' presence is deemed necessary and all the persons whose consent is necessary hereunder must appear in person and be examined under oath by such court or judge but the personal appearance of the natural parents or other persons whose consent is necessary hereunder may be dispensed with in the discretion of the court or judge hearing the petition if such persons reside without the jurisdiction of the court or if for any other reason the said court or judge deem it unnecessary provided the duly executed consents of such persons in writing have been filed with the petition and the said court or judge may in his discretion require the personal appearance of the natural parents of the child at a different time and separate and apart from that of the other parties in interest The said court or judge shall also hear any other testimony as to the facts set forth in the petition or necessary to inform the court as to the desirability of the proposed adoption and may also make or cause to be made an investigation by some person or agency specifically designated by said court or judge to verify the statements of the petition and such other facts as will give the court full knowledge as to the desirability of the proposed adoption

Section 3 Section four of said act is hereby amended to read as follows

Section 4 Decrees of Court Records In no case shall any decree of adoption be made or entered unless the person proposed to be adopted shall have resided with the petitioner for a period of six months prior thereto or in lieu of such residence unless such person is related by blood or marriage to the petitioner If satisfied that the statements made in the petition are true and that the welfare of the person proposed to be adopted will be promoted by such adoption and that all the requirements of this act have been complied with the court or judge shall make a decree so finding [and reciting the facts at length] and directing that the person proposed to be adopted shall have all the rights of a child and heir of such adopting parent or parents and be subject to the duties of such child but otherwise shall make a decree refusing the adoption and dismissing the petition If desired by the parties the decree may also provide that the person adopted shall assume the name of the adopting parent or parents and any given first or middle names that may be chosen Such decree [shall be filed and spread at length upon the records of said court and shall be sufficient evidence of the adoption and shall be open to the public All] all other papers pertaining to the case and the testimony if written out shall be kept in the files of said court as a permanent record thereof and [may in the discretion of said court or judge] shall be withheld from inspection [by a proper order in which case no person shall be allowed access thereto] except upon an order of court granted upon cause shown Upon the making of such decree the prothonotary or clerk of the orphans' court as the procedure established may require shall enter upon the docket a short form thereof showing the court term and the date of the decree the names of the adopting parent or parents and the name assumed by the person adopted Such short form shall be sufficient evidence of the adoption and shall be open to public inspection

Section 4 Any adoption heretofore granted or decreed by any court of record of this Commonwealth in which either the person or persons adopting or the person or persons adopted was a nonresident or were nonresidents

of this Commonwealth at the time such adoption was granted or decreed or any adoption which was granted prior to the expiration of the full ten days required by the act of assembly to intervene between the filing of the petition for the adoption and the hearing of such petition by the court or which was granted or decreed without the formal entry on the decree of the findings of facts at length or without the court or judge specifically finding that the statements made in the petition were true is hereby declared valid and lawful as though made in full observance of all the requirements of the act to which this is an amendment Provided That the petition and decree for such adoption were otherwise in accordance with the act to which this is an amendment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 639, on final passage, entitled:

A Further Supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 26, as follows:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An

act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 219) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule sixty dollars for each head of unregistered cattle one hundred dollars for each head of registered cattle [ten] fifteen dollars for each head of unregistered swine sheep or goats [twenty] twenty-five dollars for each head of registered swine sheep or goats [three] five dollars for each fullgrown goose [three] five dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured

Section 2 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 33, on third reading, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 253, as follows:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions In this act unless the context or subject matter clearly indicates otherwise the following terms shall have the following meanings

"Merchandise" Materials goods in process and finished goods intended for sale whether or not requiring further manufacturing or processing

"Factor" A person firm partnership bank or corporation and their successors in interest that lends or advances money on the security of merchandise whether or not employed to sell such merchandise

"Borrower" An owner of merchandise who creates a lien in favor of a factor

Section 2 Factor's Lien If so provided by any written agreement with the borrower a factor shall have a lien upon such merchandise then or thereafter in the custody or possession of the borrower as is from time to time after or contemporaneously with the execution of the said written agreement designated in separate written statements dated and signed by the borrower and delivered to the factor Such lien shall secure the factor for all his loans and advances to or for the account of the borrower together with interest thereon and also for the commissions obligations indebtedness charges and expenses properly chargeable against or due from said borrower and for the amounts due or owing or to become due or owing upon any notes or other obligations given to or received by the factor for or on account of any such loans or advances interest commissions obligations indebtedness

charges and expenses and any renewals or extensions of such notes or other obligations. Such lien shall be valid from the time of filing the notice hereinafter in this section and in section 3 of this act referred to whether such merchandise shall be in existence at the time of the execution of the written agreement providing for the creation of the lien or at the time of filing of such notice or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the borrower provided that there shall be posted on the door of or in a conspicuous place at one of the principal entrances of each of the places of business at which such merchandise or any part thereof shall be located kept or stored the name of the factor in legible lettering in the English language and the designation of the said factor as factor and provided further that a notice of the lien is filed as provided in section 3 of this act stating

(a) The name of the factor the name under which the factor does business if an assumed name the principal place of business of the factor within the Commonwealth or if he has no place of business within the Commonwealth his principal place of business outside the Commonwealth and if the factor is a partnership or association the names of the partners and if a corporation the state under the laws of which it was organized

(b) The name of the borrower the name under which the borrower does business if an assumed name and the principal place of business of the borrower within the Commonwealth or if he has no place of business within the Commonwealth the principal place or places at which the merchandise shall be located or stored

(c) The general character of merchandise subject to the lien or which may become subject thereto and the period of time during which loans or advances may be made under the terms of the written agreement providing for such loans or advances and for such lien

Amendments of the notice of the lien may be filed from time to time in the same manner to record any changes in the information contained in the original or any prior amendment of the notice of lien

The notice and amendments of the notice of lien shall be verified under oath by or in behalf of the factor to the effect that the statements therein contained are true to the best of the affiant's knowledge

Section 3 Filing The notice of lien and any amendments thereof may be filed at any time or times after the execution of the written agreement providing for the creation of the lien in the office of the prothonotary of each county in which the merchandise or any part thereof is at any time located or stored by the borrower and upon such filing shall be a judicial record subject to the control of the court of common pleas of said county. The prothonotary shall mark upon each notice and amendment of notice filed with him the day and hour of filing and shall file the notice and amendments in his office for public inspection. He shall keep a book in which he shall enter the names of the borrower and factor the day and hour of filing a brief description of the merchandise and the date of satisfaction of the lien. Such book shall be indexed under the name of both borrower and factor. For filing and entering each such notice and amendment of notice the prothonotary shall be entitled to a fee of fifty cents

Section 4 Effect of Filing and Posting Upon such filing and posting the lien of the factor shall be effectual on and attach to the merchandise from time to time designated in the written statements provided for in section 2 of this act as against all claims of unsecured creditors of the borrower and as against subsequent liens of creditors except that liens arising pursuant to the laws of this Commonwealth in favor of a landlord or out of contractual acts of the borrower with reference to the processing warehousing shipping or otherwise dealing with the merchandise in the usual course of the borrower's business preparatory to their sale shall take precedence over the lien of the factor on said merchandise notwithstanding the prior perfection of the lien of the factor under the provisions of this act but this section shall not obligate the factor for any debt secured by any such other lien. When

merchandise subject to the lien provided for by this act is sold in the ordinary course of the business of the borrower the purchaser shall take the said merchandise free and clear of the lien of the factor whether or not the purchaser has knowledge of the existence thereof and the said lien shall without further act of the factor attach to any proceeds arising out of such sale and shall be valid in law as and enforceable against all subsequent purchasers assignees transferees pledges and other creditors of the borrower

Section 5 Discharge Any notice and any amendment of notice filed in the office of the prothonotary under the provisions of this act may be cancelled by satisfaction noted on the docket in the same manner as judgments at law are satisfied. In lieu of such docket satisfaction the factor shall after the payment or discharge of the indebtedness secured by the lien and upon written demand delivered personally or by registered mail by the borrower or any other person having an interest in the merchandise execute acknowledge and deliver to the demandant a statement that the indebtedness has been discharged. If for ten days after such demand the factor fails to mail or deliver such a statement of satisfaction he shall forfeit to the demandant five dollars and be liable for all damages suffered. Upon presentation of such statement of satisfaction the prothonotary shall file the same and note the cancellation of the notice and amendments and the date thereof on the margin of the pages where the notice and amendments have been entered. For filing and entering the statement of satisfaction the prothonotary shall be entitled to a fee of thirty cents plus an additional ten cents for each amendment of notice thereby satisfied. Every notice and amendment of notice filed pursuant to the provisions of this act shall be deemed to be and remain in full force and effect without further or other filing until such satisfaction or cancellation be noted as hereinabove provided

Section 6 Common Law Lien When any factor or any third party for the account of any such factor shall have possession of merchandise as security for money lent or advanced such factor shall have a continuing general lien as set forth in section 2 of this act without posting the name of the factor or filing the notice provided for in this act

Section 7 Construction This act is to be construed liberally to secure the beneficial interest and purposes thereof. A substantial compliance with its several provisions shall be sufficient for the validity of a lien and to give jurisdiction to the courts to enforce the same. If any transaction shall fall within the provisions both of this act and of any other statute of this Commonwealth requiring or permitting filing recording consent publication notices or formalities of execution the factor shall not be required to comply with the provisions of any such other statute

Section 8 Constitutionality If any provision of this act or the application thereof to any person or circumstances is held invalid such invalidity, shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or applications and to this end the provisions of this act are declared to be severable

Section 9 Short Title This act may be cited as the Factor's Lien Act

Section 10 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WILSON. Mr. President, as I indicated upon the floor of this Senate yesterday I am opposing this bill. However, I call attention to the fact that it was with deep regret that I as a lawyer from out in an outlying district, I am the only one to call attention to the fact

as to what this bill does to the greater proportion of the counties in this state. It is also my deep regret that there were present in the Chamber of this Senate at the time that I made those remarks some of my very best friends of long standing who really favor this bill.

This is Senate Bill 253. Everyone within the sound of my voice has a right to know what it is. Why is it that I should take the time, in the latter days of this Session, and when there are interesting entertainments ahead and time is short for other important affairs.

First I must tell you what it is. It is an act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise.

Section 1 starts out: "Definitions. In this act unless the contract or subject matter clearly indicates otherwise the following terms shall have the following meanings." I feel that I am justified, as it is well known I do not often take the time of this Senate to tell you, what those three definitions are. The word "merchandise" indicates "materials," goods in process and finished goods intended for sale, whether or not requiring further manufacturing or processing.

Now there is the definition of "factor," which is "a person, firm, partnership, bank or corporation and their successors in interest that lends or advances money on the security of merchandise whether or not employed to sell such merchandise."

The next definition is "Borrower," which is stated to be "An owner of merchandise who creates a lien in favor of a factor."

Now I comment: Who knows what merchandise may be? There is nothing to indicate that in this act. Who knows what a factor may be? It says "a person, firm, partnership, bank or corporation." Having been an attorney for quite some time, it appears to me that I should look and see if I am interested in the word "factor." It says he may be a person, and I am surely interested in persons because I have had quite a number of them in the last fifty-four years, sitting behind a desk, and in that time I have had some firms and partnerships, some very interesting ones as clients, and also banks. I wonder what Senator here can say he has represented a bank for fifty-four years, and watched it start and watched it go and attend to something for them each week in that time, and even now.

Or a corporation—anybody can get together under circumstances that were justified and were worthy and can form a corporation to do this business of being a factor. Now, is it fair, is it quite fair, to not know what a factor is? Is there anyone within the sound of my voice that is ready to say they understand what a factor is, or, I might have said before, what merchandise is under this act? They have a definition of it here in this act, but I wonder if you are prepared to describe it if you are asked about it.

The next definition is "Borrower." Who is the borrower? "An owner of merchandise who creates the lien in favor of a factor." Do you get it? An owner, a fellow who buys what merchandise. Under this proposed bill is there anybody can tell me what that

merchandise is likely to be and what does he want to do? He wants to create a lien. In favor of whom? The factor. I know these gentlemen, the rest of the Senate, are not interested and I do not care, but I am standing here and talking because I feel I should observe the obligations that were put upon me when I entered this Senate and, yes, when I entered the House fifty-four years ago.

The next definition is in Section 2 "Factor's Lien." That says: "If so provided by any written agreement (please get that) with the borrower, a factor shall have a lien upon such merchandise then or thereafter in the custody or possession of the borrower as is from time to time after or contemporaneously with the execution of the said written agreement designated in separate written statements dated and signed by the borrower and delivered to the factor. Such a lien shall secure the factor . . ." (everybody else look out) and is dated, and signed by the borrower and delivered to the factor, as I said. Who is going to secure the factor for all his loans? Not just one loan, but "all his loans and advances to or for the account of the borrower, together with interest thereon, and also for the commissions, obligations, indebtedness, charges and expenses properly chargeable against or due from said borrower and for the amounts due or owing or to become due or owing upon any notes or other obligations given to or received by the factor for or on account of any such loans or advances, interest, commissions, obligations, indebtedness, charges and expenses and any renewals or extensions of such notes or obligations."

This is off the record. Here is an agreement and here is a notice that is being prepared. Now, let us follow it: In no other way could you get a true understanding of it: "Such lien shall be valid from the time of filing the notice hereinafter in this section" (listen) "time of filing the notice hereinafter in this section and in section 3 of this act, referred to, whether such merchandise shall be in existence" (the question is whether such merchandise shall actually be in existence) "at the time of the execution of the written agreement providing for the creation of the lien, or at the time of filing of such notice" (please get this, the notice is important) "or shall come into existence subsequently thereto or shall subsequently thereto be acquired by the borrower provided that there shall be posted (get this) on the door of, or in a conspicuous place at one of the principal entrances of each of the places of business at which such merchandise or any part thereof shall be located, kept or stored, the name of the factor in legible lettering in the English language" (I am so thankful for that) "and the designation of the said factor, as factor and, provided further that a notice of the lien is filed as provided in section 3 of this act stating" (get that).

Really and truly there are several sub-sections under Section 2. Here is one under (a) the name of the factor, and (b) the name of the borrower and it tells what his business is. I do wish anyone interested at all would read what that notice shall contain—names of the parties, if it is a corporation and the state under the laws of which it was organized.

Under (b) the name of the borrower (as I said) is defined.

Clause (c) is pertaining to the general character of merchandise. Get this—you are putting a lien on the general character of merchandise. What kind of merchandise? No one knows whether it is wood or gypsum where it is or where it is coming from, or whether it is good, bad or indifferent. You are asked to describe it when it is not there, "subject to a lien or which may become subject thereto"—if it is not subject now, it is to become, subject to it—and the period of time during which loans or advances may be made"—by this loan or other advance on it, you are conveying all of the property that is not even in existence or perhaps you do not know where it is or what it is like, without describing it, and from time to time advancing money because you are a factor—the rest of the people look out, the rest of the people have to find out. Where? After a while I will tell you.

Next we come to the question of amendments of the notice. This notice is important and this is what it says "amendments of the notice of the lien may be filed from time to time—" What is a notice of a lien and what is a lien? A lien is an agreement in no specific form, one which may be with or without the assistance of these terrible lawyers that we have been told about so frequently by gentlemen scattered throughout this representation.

"The notice and amendments of notice of lien shall be verified under oath by or in behalf of the factor to the effect that the statements therein contained are true to the best of the affiant's knowledge."

"Section 3. Filing." This is what I want you to get, this is what I want you to understand, why I object to this, and when you have worked as long as I have trying to please the neighborhood for miles and miles around, thirty, forty or fifty miles around, you hate to be called upon to find and keep track of the notice of a lien that is being filed—by whom, by what, when and how. "The notice of lien and any amendments thereof may be filed at any time or times after the execution of the written agreement." It must be written but it does not tell you what form or whether it should be under seal. "This agreement must be for the creation of the lien"—in the office of where and whom—"the prothonotary of each county." Now then, where do we generally have liens, when we have liens against any source—in the office of the recorder. Oh no, this is personal property and you must not have it there on something that would be almost like a personal property mortgage.

This is all very hard on these gentlemen who are taking this down and they ought to kick me. Think of it.

"... merchandise or any part thereof is at any time located or stored by the borrower and upon such filing shall be a judicial record subject to the control of the court of common pleas of said county."

Now why am I calling attention to this agreement? Because I want to show what this agreement is like. The only thing we know about the agreement and the truth of same or what it means is the notice, and the only thing the notice says is a statement of the man who borrows and the man who gives it to him, known as a factor.

Now what about this prothonotary? Did you ever ask him whether he would like to have a bill like this? Why

not? He is elected by the people and is paid by the people and has to do what they tell him. What does he have to do? Now you listen to this: "The prothonotary shall mark upon each notice and amendment of notice filed with him the day and hour of filing and shall file the notice and amendments in his office for public inspection." It is not just of record, it is a notice, the notice is there and what is it? It is a paper telling you there is an agreement but it does not give you much in the way of particulars. It then goes on and says: "He shall keep a book in which he shall enter the names of the borrower and factor, the day and hour of filing, a brief description of the merchandise and the date of satisfaction of the lien." Now, who is to do all of those things? "Such book shall be indexed under the name of both borrower and factor" (and listen to this) "For filing and entering each such notice and amendment of notice the prothonotary shall be entitled to a fee of fifty cents." That started out with twenty-five cents and they want all the books and the services of the prothonotary to be furnished, so they could have a lien to tie up goods that were not there yet and you did not know where they were.

Where are they going to get the money? I have not touched Section 4 yet. Where are you going to get this money for this factor? Whether the factor has it, or an individual or you may call upon the bank. Just imagine, in my little town where I have been so long, and the bank says to me "Here is a proposition we want to ask you about," and how often that happens, and they are talking about this and that and the other, but when they come to me with that I can not tell them whether there is any lien on record, and I tell them what the act is. There has been some discussion, even now, over this matter as to how it may affect them, because the one bank there that I represented so long will be asked probably about it. We do have three manufacturers of various things and it would not be limited to them, and some of them are angry.

Now, this is what I want you to get.

"Effect of filing and posting. Upon such filing and posting the lien of the factor shall be effectual on and attach to the merchandise from time to time designated in the written statements provided for in Section 2 of this act as against all claims of unsecured creditors of the borrower and as against subsequent liens of creditors, except that liens arising pursuant to the law of this Commonwealth . . ." I am not going to say any more, but there is considerable more that might be said about that section and I wish you would read it, if you will.

Section 5 relates to discharge. How are you going to get a discharge?

Section 6 is the common law lien.

Section 7 has to do with construction, it tells you how this act is to be construed.

Then there is Section 8—Constitutionality—and that did not reach me very much, although I am chairman.

And then there is Section 9, short title—"This act may be cited as the Factor's Lien Act."

Section 10. "Effective date. This act shall become effective immediately upon final enactment."

This takes up eight full pages. It relates to the tying up of personal property and I am trying to tell you what

kind of personal property Nobody knows where it is or anything about it. It is all done without asking the hundreds and thousands of poor lawyers who are out in the country representing banks, or anybody that has money to loan, when they come along with an act of Assembly that tells them to do this, that and the other, and to be safe, he never does anything, if he is careful, without examining the record, and when he gets down to it there is no agreement but only a notice that there is an agreement, and there is no personal property to be seen or that can be described properly, and all of those things are so uncertain that I claim that it is unfair to ask a bank to be bothered with those people who come in to do things like that.

Where do they come from? I want you to get this. If you need money at all, that is, somebody has something to sell, and you have no money, he tells you how you can get the money, so if there is a man or an institution in the vicinity, or maybe a bank, you go to them and they will maybe say yes, because they have more money than they know what to do with and some of those outlying districts have a little money now and then.

I have done this for the purpose of convincing you that I would rather have the respect of those who favor this bill and have been my warmest friends for years and years, than to have your approbation because I went along, but I can not do that because I am against this bill, because I think it is not right from my standpoint; maybe it is from the standpoint of other people but it is the equivalent of a chattel mortgage, only two or three times better because it is on an indefinite object, there is no description of the object, it is not described and you do not know where it is, and there are so many things that are unnecessary.

I am not going into the next statement at all, but I have been familiar with this particular matter since 1880, when many questions just something like this have come before me, because it so happened that the office in which I studied had something to do with the formation of the Constitution itself, and they told me something about it while I was studying law, what a chattel mortgage would do and what it would involve to take its place with a measure where it is perfectly proper and the intentions were perfectly proper.

I made those statements to the people and would like to say that it is legitimate, it can be done in a matter that does not cost so much, and makes it more secure, but not these indefinite borrowers, as we call them, they should not be induced because someone wants to sell them something that is doubtful, when there are so many doubtful things about it.

Now I am through, strange as it may seem, and I am just serving warning on this Senate and anybody else connected with it, like I served notice on the splendid young gentleman and my personal friend on the floor of the Senate when I told him what I thought of it.

I am saying that to you now, that from now on there is no need to hurry to get home the first or second week of June or even the end of September, there is no use doing any of this work unless we do what? Unless we do it right. And I confess I am too slow to read all those bills or even the very simple ones, and the bills come in

here and pass first reading when they are introduced, and second reading without taking the time to read in each section what takes place, and then they are ready for passage. I am not criticizing, I am only telling you the facts as they are and I am telling you that, from now on, I do not care whether you like it or not, you are going to consider these things.

Now vote for this bill, every one of you that wants to, but I tell you in advance—no one asked me or wanted me to vote for it and no one said to me, for goodness' sake, Henry, do not do that, there was nothing like that at all, but I have done some other things to prove my loyalty to you, and to the other side of the Senate, across the aisle, and all these things I think I have proved in the last few days, and I ask only the privilege to be satisfied when I vote that I am doing something sound, according to my judgment, and not what somebody else asked me to do.

I want to thank every one of you for being so honest and attentive and careful, with all due respect to any little things that took place. I am through and you are about to vote for this; vote your own judgment and not mine.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,	DiSilvestro,	Letzler,	Tarr,
Becker,	Doehla,	Lord,	Taylor,
Berger,	Donlan,	Rahausen,	Tyler,
Blass,	Farrell,	Rosenfeld,	Wagner,
Carr,	Frazier,	Ruth,	Walker,
Chapman,	Haluska,	Scarlett,	Watson,
Orider,	Heyburn,	Snowden,	Wolfe,
Crowe,	Jaspan,	Stevenson,	Wood, L. H.,
Dent,	Leader,	Stiefel,	Woodring,

NAYS—13

Geltz,	Kephart,	Mahany,	Wade,
Hare,	Klein,	Mallery,	Wilson,
Holland,	Lane,	Talman,	Wood, T. N.,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 346, as follows:

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any real estate or interest in real estate has heretofore been conveyed or transferred to any person and the deed or transfer therefor properly executed and recorded in the office of the proper recorder of deeds without containing a certificate setting forth the precise residence of the grantee as required by law such deed or transfer is hereby validated and the title to such real estate or interest so conveyed or transferred is hereby declared good and valid notwithstanding such omission

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 358, as follows:

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 School Districts shall not be required to award and purchase supplies after public notice by advertisement once a week for three weeks unless such award and purchase shall in the case of school districts of the first class cost one thousand dollars (\$1000) or more and in the case of school districts of the second class shall cost five hundred dollars (\$500) or more

The board of school directors may purchase supplies costing less than one thousand dollars (\$1000) in school districts of the first class less than five hundred dollars (\$500) in school districts of the second class and less than three hundred dollars (\$300) in school districts of the third and fourth classes from the lowest responsible bidder after soliciting sealed quotations from two or more firms manufacturing or dealers in such supplies

In any school districts of the first or second classes the board of school directors may authorize the secretary or any other official to purchase supplies costing less than three hundred dollars (\$300) without soliciting bids and without public notice

Section 2 All construction reconstruction repairs or work of any nature including the introduction of heating ventilating or lighting systems in any school building or on any school property made by any school district of the first or second classes shall be done under contract or contracts to be entered into by the school district with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids where the entire cost value or amount of such construction reconstruction repairs or work including labor and material is one thousand dollars (\$1000) or more

The board of school directors in any school district of the first or second classes either may perform any construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is less than one thousand dollars (\$1000) by its own maintenance personnel or may have any such construction re-

construction repairs or work performed by contract after soliciting bids from at least three responsible bidders Provided That the board of school directors in any school district of the first and second classes may authorize the secretary of the board or other executive to award contracts for construction reconstruction repairs or work of any nature where the entire cost or value including labor and material is three hundred dollars (\$300) or less without soliciting competitive bids

Section 3 This act shall become effective immediately upon final enactment and shall remain in force until June thirtieth one thousand nine hundred forty-nine

Section 4 All acts and parts of acts inconsistent with this act are suspended as long as this act shall remain in force

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 438, as follows:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" as last amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2795) is hereby further amended to read as follows

Section 3 Whenever any person shall become entitled to receive a benefit from the police retirement fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate participation therein upon the basis upon which he first became entitled thereto [save from one or more of the

following causes that is to say conviction of a crime or misdemeanor becoming a habitual drunkard becoming a non-resident of the State or failing to comply with some general regulation relating to the said fund which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the fund after such due notice and hearing as shall be prescribed by ordinance]

Section 2 Said act is hereby further amended by adding thereto after section three a new section to read as follows

Section 4 The compensation or pension herein provided for shall not be subject to attachment execution levy garnishment or other legal process and shall be payable only to the beneficiary designated by this act in person and shall not be subject to assignment or transfer

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Kleir,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on third reading entitled:

An Act lapsing all unexpected or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions, and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty one thousand nine hundred and forty-two.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the

law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, lines 2, 3 and 4 from bottom of page, by striking out the words "making it unlawful for" in 4th line from bottom, all of 3rd line from bottom, and the words "safety zones during the open hunting or trapping season" in 2nd line from bottom; amend sec. 2 (Sec. 808), page 5, line 8, by striking out the words "Disturbance of Wildlife and"; amend sec. 2 (Sec. 808), page 5, lines 9 to 19, by striking out the words "[It] During any open hunting or trapping season it is" in line 9, and all of lines 10 to 19; amend sec. 2 (Sec. 808), page 6, lines 1 to 7, by striking out all of said lines, and inserting in lieu thereof "It is unlawful at any time for any person other than the resident owner or occupant while hunting or trapping for wild birds or wild animals of any kind, to shoot or discharge any firearms or other deadly weapon within one hundred and fifty yards of any occupied dwelling house, residence or other building or camp occupied by human beings or any barns, stable or other building used in connection therewith, the area within said distance being hereby defined as a 'safety zone' without the specific advance permission of the owner or tenant thereof"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING DEFEATED ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 537, entitled:

An Act requiring owners of hotels restaurants and places of amusement and entertainment to give notice to patrons thereof that concessions for certain services have been granted to other persons and that gratuities received by the employees of such concessions are the property of the owner thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—11

Berger,	Donlan,	Lane,	Walker,
Carr,	Geltz,	Lord,	Woodring,
Chapman,	Hare,	Snowden,	

NAYS—38

Barr,	Heyburn,	Margie,	Taylor,
Becker,	Holland,	Rahauser,	Tyler,
Blass,	Homsher,	Rosenfeld,	Wade,
Crider,	Jaspan,	Ruth,	Wagner,
Crowe,	Kephart,	Scarlett,	Watson,
Dent,	Klein,	Stevenson,	Willson,
DiSilvestro,	Leader,	Stiefel,	Wolfe,
Doehla,	Letzler,	Tallman,	Wood, L. H.,
Farrell,	Mahany,	Tarr,	Wood, T. N.,
Haluska,	Mallery,		

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 570, entitled:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. TARR. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 3, page 7, lines 18 and 19, by striking out both of said lines.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 637, as follows:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The governing body of any county county authority municipal authority city borough town or township may create a Mosquito Control District either alone or jointly with one or more such political subdivisions

Section 2 When any Mosquito Control District is created under the provisions of this act the agency for the administration of mosquito control work therein shall consist of a Mosquito Control Board of five members appointed by the governing body of the political subdivision concerned The first board members shall hold office for terms of one two three four or five years as specified in their certificate of appointment Annually thereafter the governing body of the political subdivisions shall appoint one members of such board to serve for a term of five years Where the district consists of territory in one or more political subdivisions the five members of the board shall be appointed by the governing body of the political subdivisions concerned by agreement in order to provide adequate representation to the several political subdivisions participating Vacancies in any district shall be filled by the authority originally filling the office The board members shall serve without salary but shall be reimbursed for expenses incurred on account of official business of the board No person employed by the board shall be a member thereof The board shall annually choose a chairman from among its members

Section 3 The Secretary of Health of the Commonwealth is hereby authorized and empowered to cooperate with and assist each district created under this act in the effective carrying out of its plans and work In so far as practicable he shall be a member ex-officio of each such board and may authorize a deputy to attend its meetings as his representative In so far as practicable he shall furnish such boards with such surveys maps information and advice as they may require for the prosecution of their work or as in his opinion will be of advantage in connection therewith The Pennsylvania State College and the Secretary of Agriculture are also authorized and empowered to cooperate with such boards

Section 4 (a) Any Mosquito Control District created under the provisions of this act is empowered to employ such engineers entomologists inspectors laborers clerical assistants or others as it may deem necessary and to fix the salaries or wages and to prescribe the powers and duties of such employes and to make rules and regulations for carrying out the provisions of this act

(b) The Mosquito Control District shall have power to eliminate all breeding places of mosquitoes on public or private property within such district and to do and perform all acts including entry upon private or public property for inspection spraying or any abatement under the provisions of this act which in the opinion and judgment of the board may be necessary or proper for the elimination of breeding places of mosquitoes or which will tend to control mosquitoes within said district

(c) Any water in which mosquito larvae breed is hereby declared a public nuisance and subject to abatement as such Whenever any such breeding place exists on any lands in the district which breeding place should in the opinion of the Mosquito Control Board be abated the district may in writing order the owner or owners of such lands to abate the same within a reasonable period and in a manner to be specified in such order If at the expiration of such period such order has not been complied with or if the owner or owners of such lands cannot be ascertained or found the board may at once abate said nuisance and may assess all or part of the cost of such abatement against the lands on which such breeding places exists The board may file municipal liens for said assessments within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens

(d) It shall be a misdemeanor to damage or tamper with any works for mosquito abatement or other mosquito control work of the district

Section 5 The Mosquito Control District may carry on control work against flies ticks or other insects affecting public health or welfare subject to the approval of the governing bodies comprising the district Such control work in this field shall be such as not to conflict with any program of the Department of Agriculture in the same field

Section 6 Each Mosquito Control District shall on or before the first day of December in each year submit to the governing body or bodies of the political subdivisions comprising the district a detailed estimate of the money required for the ensuing calendar year and a plan of the work to be done and methods to be employed Such governing board or boards shall have power to approve modify or alter such estimates plans and methods but not to decrease the amount of money estimated to be required therein without giving to the district in writing their reason for such action Such governing board or boards shall have power and it shall be their duty to appropriate annually for the use of the district the amount of money so approved modified or altered by them

Section 7 It shall be the duty of each Mosquito Control District annually on or before the first day of February of each year to submit to the Secretary of Health and to the governing board or boards of the political subdivisions making up the district a report setting forth the amount of money expended during the previous calendar year the methods employed the work accomplished and any other information which in its judgment may be pertinent

Section 8 This act shall not be construed to affect or repeal the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" and the amendments thereto

Section 9 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 674, as follows:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective

in any respect or where the acknowledgment was not properly taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land purchased by the county commissioners of any county for the use of a county at a county treasurer's sale held for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land has been sold by the county commissioners in accordance with the law governing the sale of such land and the county commissioners in pursuance of such sale executed a deed for said lands and the acknowledgment of such deed by the county commissioners was defective in any respect or where the acknowledgement was not taken in open court or before a Justice of the Peace such sale and such deed shall not be invalidated by reason of such defective acknowledgment or by reason of the fact that such deed was not acknowledged in open court or before a Justice of the Peace if in all other respects the laws relating to the holding of such sale were fully complied with and the deed was in fact acknowledged before any officer duly authorized by law to take acknowledgments and all such commissioners' sales and commissioners' deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person at such commissioners' sale and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such deed had been properly acknowledged in full conformity with the law relating thereto

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 675, as follows:

An Act validating county treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the county

treasurer in pursuance of such sale executed a deed for said lands and acknowledgment of such deed by the county treasurer was defective in any respect or where such deed was not acknowledged in open court or where the records of the court failed to show a minute of such acknowledgment in open court such sale and such deed shall not be invalidated by reason of such defective acknowledgment or by reason of the fact that such deed was not acknowledged in open court or by reason of the fact that the records of the court fail to show a minute of such acknowledgment in open court if in all other respects the laws relating to the holding of such sale were fully complied with and the deed was in fact acknowledged before any officer duly authorized by law to take acknowledgments and all such treasurers' sales and treasurers' deeds are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioner of any county at such treasurers' sale and the deed executed and acknowledged to such purchaser is hereby declared to be as valid as if such deed had been acknowledged in open court and a proper minute thereof made in full conformity with the law relating thereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn	Rahausen,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections

including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 29) is hereby further amended to read as follows

Section 906 Publication of Notice of Officers to Be Nominated and Elected Beginning not earlier than twelve weeks nor later than eleven weeks before any regular Spring or Summer primary the county board of each county shall publish in newspapers as provided by section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternate delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part and also setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be published twice in separate weeks in counties of the first and second class and in all other counties shall be published once each week for two successive weeks

Section 2 Section one thousand two hundred one of said act is hereby amended to read as follows

Section 1201 Notice of November Elections The county board of each county shall at least ten days before each November election give notice of the same by newspaper publication in the county in accordance with the provisions of section 106 of this act [once a week for two successive weeks immediately prior thereto] in counties of the first and second class such notice shall be published twice in separate weeks and in all other counties shall be published once Such notice shall set forth (a) the officers to be elected in the State at large or in said county or in any district of which said county or part thereof forms a part or in any city borough township school district poor district ward or other district which is contained in such county (b) the names of the candidates for election to Federal State county and city offices whose names will appear upon the ballots or ballot labels (c) the text of all constitutional amendments and other questions to be submitted at such election (d) the places at which the election is to be held in the various election districts of the county and (e) the date of the election and the hours during which the polls will be open Such notice may include a portion of the form of ballot or diagram of the face of the voting machine in reduced size

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,

DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1050, on third reading entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL NO. 639 CALLED UP

Mr. LLOYD H. WOOD. Mr. President, I desire to call up at this time Senate Bill No. 639, on page 1 of today's Final Passage Calendar.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 639, entitled:

A Further Supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL NO. 639

Mr. LLOYD H. WOOD. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 639, passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. LLOYD H. WOOD. Mr. President, I voted with the majority.

Mr. BECKER. Mr. President, I second the motion

The PRESIDENT. How did the Senator vote?

Mr. BECKER. Mr. President, I voted with the majority. The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading.

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 1, page 3, line 17, by inserting after the word "utility" the following: "or of a corporation organized under or subject to the "Electric Cooperative Corporation Act",

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

SENATE BILL No. 422 CALLED FROM POSTPONED CALENDAR

Mr. BECKER. Mr. President, on page 6 of today's Calendar, Bills on Third Reading Postponed, I call up Senate Bill No. 422.

BILL OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading entitled:

An Act to amend the title and sections one, two, and three of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 606), entitled "An act relating to the sale, transfer, assignment and pledge of accounts receivable", by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignors and for giving notice of assignments to account debtors and the effects thereof respectively.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 528 CALLED FROM POSTPONED CALENDAR

Mr. RAHAUSER. Mr. President, I call up from the Third Reading Postponed Calendar, Senate Bill No. 528, for the purpose of offering an amendment.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 528, entitled:

An Act to add section four hundred fifty-one to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for training of volunteer fire companies by counties of the second class.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. RAHAUSER. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1 (Sec. 451), page 2, line 11, by striking out the word "conduct".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 129, entitled:

A Joint Resolution proposing an amendment to article nine section sixteen of the Constitution of the Commonwealth of Pennsylvania extending the provisions thereof to include certain veterans not theretofore within its provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 285, on second reading, entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities

be placed on the Second Reading Postponed Calendar.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 306, entitled:

An Act to consolidate amend and revise the penal laws of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 493, entitled

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and coating thereof fixing standard for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases

BILL ON SECOND READING AMENDED

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendments:

Amend Sec. 1, page 2, line 2, by inserting after the figures "259)" the following: "entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities, boroughs, towns, and townships, and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund for certain purposes"; amend Sec. 1, page 2, lines 4 to 11, by striking out all of said lines, and inserting in lieu thereof, "An Act providing for

the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities, boroughs, towns, and townships, and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees' Retirement Fund for certain purposes."

They were agreed to.

The section was agreed to as amended.

The second and third sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. TALLMAN offered the following amendments:

Amend title, page 2, line 1 at top of page, by inserting an apostrophe mark after the word "Employees"; amend title, page 2, lines 1 to 5 from top of page, by striking out the words "as last" in line 1, all of lines 2, 3 and 4, and the words "relating to" in line 5, and inserting in lieu thereof "providing for".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 551, entitled:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 562, on second reading entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading entitled:

An Act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and

second class, borough, town, township, school district, except of the first class, and institution district taxes; providing when, how, and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor, the collection and adjudication of such claims; sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered, and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property, and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process, and notices; imposing duties on taxing districts, and their officers, and on tax collectors, and certain expenses on counties, and for their reimbursement by taxing districts; and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 586, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof" empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. LORD offered the following amendment:

Amend Sec. 1 (Sec. 8), page 3, line 3, by striking out the word "to" where it appears first on said line, and inserting in lieu thereof "may".

It was agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. LORD. Mr. President, I ask unanimous consent that Senate Bill No. 586, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws.

And said bill having been read at the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on second reading entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 631, on second reading entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other

wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

And said bill having been read at the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 373 CALLED FROM POSTPONED CALENDAR

Mr. BECKER. Mr. President, I call up from Bills on Second Reading Postponed, page 13 of the Calendar, Senate Bill No. 373, for consideration at this time.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 373, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

And said bill having been read at the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED AND REFERRED

Mr. JASPAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN on behalf of Mr. BARR, read in place and presented to the Chair Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

Which was committed to the Committee on Local Government.

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 742, entitled:

An Act to add a new section to be known as section five hundred twenty-four point one to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered; and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith," authorizing and limiting the imposition of a tax for school purposes on each resident or inhabitant of any school district of the first class; prescribing the duties of public officials; requiring the filing of returns and the giving of information by employers and those subject to the tax; imposing on employers the duty of collecting the tax at source; making a husband liable for his wife's tax; providing for the lien and collection of the tax; imposing penalties and repealing inconsistent laws

Which was committed to the Committee on Local Government.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LORD. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 57, entitled:

An Act to add section three thousand seven hundred twenty-two to the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 230, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organization to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market,

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 233, entitled:

An Act to further amend section five hundred four of the act approved the second day of May one thousand

nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 345, entitled:

An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance, and relief of aged, retired and disabled employes of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," to fix terms for which personnel of board of managers shall be elected; to change the method of determining availability for disability pensions; to fix the amount of contributions of members and pension payments to beneficiaries, and to provide in certain circumstances for the return of contributions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder," by further regulating the payment in second injury cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," empowering city councils, by ordinance, to define and penalize disorderly conduct.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 645, entitled:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall undtr certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the schol district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of schol districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligations of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in the sinking fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of in-

insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 677, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto," providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 720, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 832, entitled:

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills, and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1008, entitled:

An Act to add article XXX-A to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," empowering boards of township commissioners to establish land subdivision regulations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1066, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, May 14, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:14 o'clock, p. m., Eastern Standard Time until Wednesday, May 14, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 13, 1947

The House met at 12:00 o'clock noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Rev. Martin A. Yatsko, pastor of Holy Trinity (Slovak) R. C. Church, Hazleton, Pa., guest of the Secretary of the House, Mr. Roan and the Member from Luzerne, Mr. Mikula, offered the following prayer:

We pray Thee, O Almighty and Eternal God, who through Jesus Christ hast revealed Thy glory to all nations, to preserve the works of Thy mercy.

We pray Thee, O God of might, wisdom and justice through whom authority is rightly administered, laws are enacted, and judgment decreed, assist, with Thy Holy Spirit of counsel and fortitude, the President of these United States that his administration may be conducted in righteousness, and be eminently useful to Thy people.

We pray for his Excellency the Governor of this State of Pennsylvania, for all judges, magistrates and other officers who are appointed to guard our political welfare.

We pray for the Members of the Assembly of the State of Pennsylvania that they be enabled, by Thy powerful protection, to discharge the duties of their respective positions with honesty and ability and by a faithful execution of the laws in justice and mercy and by restraining vice and immorality. Oh God, let the light of Thy Divine wisdom direct the deliberations of this assembly of the State of Pennsylvania and shine forth in all the proceedings and laws framed for our rule and government so that they may tend to the preservation of peace, the promotion of happiness in this State of Pennsylvania, the increase of industry, sobriety and useful knowledge, and may perpetuate to us the blessings of equal liberty. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, May 12, 1947.

The Clerk proceeded to read the Journal of Monday, May 12, 1947, when, on motion of Mr. GREER unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. WOOD. HOUSE BILL No. 1334

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

Referred to the Committee on Appropriations.

By Mr. WOOD. HOUSE BILL No. 1335.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June 1st, one thousand nine hundred forty-seven, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-seven.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bill numbered and entitled as follows:

SENATE BILL No. 413.

An Act making an appropriation to the Department of Welfare to reimburse state-aided hospitals for part of the cost of training student nurses in approved schools of nursing.

Referred to the Committee on Appropriations.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following communication which was read by the Clerk:

LIQUOR CONTROL

Communications from Polish National Alliance of the United States of North America, Casimir Pulaski Society, Lodge 1894, Lloydell, Pennsylvania, favoring passage of House Bill 1170.

Referred to the Committee on Liquor Control.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 362.

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled "An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act

HOUSE BILL No. 494.

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations

HOUSE BILL No. 558.

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds' associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional insurance companies to come within the provisions thereof.

With the information that the Senate has passed the same without amendment.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 12, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 19, 1947 at 3:00 p. m., Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, May 19, 1947 at 3:30 p. M., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 564, 565, 566, 567, 568, 638, 659, 664, 665, 710 and 714.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 362.

An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled "An act to fix the standard weights of containers for wheat and corn flours corn-meals hominy and hominy grits and to provide penalties for the violation of this act" extending provisions of the act

HOUSE BILL No. 439.

An Act to add section five point one to the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended, "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," further regulating apprentices and students and their registration in such occupation in certain cases.

HOUSE BILL No. 494.

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties" by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations.

HOUSE BILL No. 558.

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyd's associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional insurance companies to come within the provisions thereof.

HOUSE BILL No. 1313.

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (Appropriation Acts, page 20, Act No. 26-A), entitled "An act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school," increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. TOMPKINS from the Committee on Judiciary, reported as committed, House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

Mr. ORBAN from the Committee on Judiciary, reported as amended, House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes, to provide the time of paying the same, and to repeal all acts inconsistent herewith.

Mr. O'DONNELL from the Committee on Judiciary, reported as amended, House Bill No. 601, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and adsectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

Mr. CLARENCE MOORE from the Committee on Game and Forestry, reported as amended, House Bill No. 643, entitled:

An Act to amend sections four hundred two, four hundred nine, four hundred fifteen, and four hundred nineteen of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild

animals; and amending, revising, consolidating, and changing the law relating thereto," by increasing the fee for resident and nonresident fur buyers' permits; revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers; and changing penalties.

Mr. IMBT from the Committee on Labor Relations, reported as committed, House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," further regulating dust hazards.

Mr. CHARLES C. SMITH from the Committee on Education, reported as amended, House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring periodic revisions of standards of the State Council of Education with reference to school buildings; providing for advisory committees in connection therewith; and making the type of heating and ventilating systems optional with boards of school directors.

Mr. WILLIAM J. REILLY from the Committee on City and County-First Class, reported as committed, House Bill No. 1332, entitled:

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

Mr. POLASKI from the Committee on Labor Relations, reported as committed, Senate Bill No. 338, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certifying as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure

for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," excluding municipal authorities from the definition of employer.

Mr. CHERVENAK from the Committee on Education, reported as committed, Senate Bill No. 356, entitled:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board.

Mr. UPSHUR from the Committee on City and County-First Class, reported as committed, Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined

Mr. STUART from the Committee on Boroughs, reported as amended, House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing charges in connection with borough facilities for general revenue purposes.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. BOWER asked and obtained permission for the Committee on Labor Relations to meet during the session of the House.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act to further amend section six hundred three and amend section six hundred twenty-two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing

existing laws" further regulating the licensing of insurance agents and brokers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes and adding certain new routes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FISS offered the following amendments:

Amend Section 1, Page 2, by inserting after line 12 the following:

Route 04051. Beginning at a point on Route [640 near the John Young Farm] 204 about one mile west of Route 04032; thence northerly in Chippewa Township and Big Beaver Township to a point on Route 04044, in Beaver County, a distance of about [2.5] 1.7 miles.

Route 05046. Beginning at a point on Route 119 approximately two miles east of Grandview in Juniata Township, Bedford County; thence northerly through Juniata Township to a point on the Juniata-Napier Township line approximately 0.75 of a mile east of the Bedford-Somerset County line; thence northeasterly through Napier Township to the village of Helixville; thence [southeasterly to a road intersection approximately two miles west of the borough line of Schellsburg:] northerly and easterly to a point on Route 05043 about one mile southwest of Route 356, in Bedford County, a distance of about [6.8] 5.9 miles.

Route 15178. Beginning at a point on Route 15110 about 1.55 miles north of the intersection of Routes 15110 and 541; thence in a northeasterly and northerly direction through Highland and East Fallowfield [and Valley] Townships, by way of Glenrose [, and crossing] to Route 15067 at Briarton [to a point on State-Aid Application 3835 at Westwood], in Chester County, a distance of about [2.62] 1.74 miles

[Route 15227. Beginning at a point on Route 15106 about 0.2 of a mile northwest of Route 15107; thence extending in a northeasterly direction through Williston Township to a point on Route 15228 about 1.1 miles southeast of the Malvern Borough-Willistown Township line, in Chester County, a distance of about 1.2 miles.]

[Route 15232. Beginning at a point on Route 15147 about 0.2 of a mile northwest of Route 15107; thence extending in a northeasterly direction through Willistown Township to a point on Route 15228 about 1.1 miles southeast of the Malvern Borough-Willistown Township line, in Chester County, a distance of about 1.2 miles.]

[Route 15232. Beginning at a point on Route 15147 at Fontaine; thence northwesterly in Honey Brook Township to the Lancaster County line in Chester County, a distance of about 1.4 miles.]

[Route 17079. Beginning at a point on Route 17061 near Pardee School; thence southwesterly and southerly

in Morris Township to a second point on Route 17061; beginning again on Route 17061 near Hawks Run; thence southerly to a point on the Centre County line, in Clearfield County, a distance of about 1.0 miles.]

Route 17093. Beginning at a point on Route 17056 near Center School about 1.9 miles northwest of its intersection with Route 17057; thence in a northeasterly direction through Decatur Township to a point on Route [17057] 17125 about 0.3 of a mile northwest of [Drane] New Liberty in Clearfield County, a distance of about [0.4 of a mile] 1.8 miles.

Route 17103. Beginning at a point on Route 17061 about 0.1 of a mile east of Route 313; thence northeasterly through Morris Township to a point on Route [17079] about 0.4 of a mile northwest of Route 17061, in Clearfield County, a distance of about [0.7] 0.9 of a mile

[Route 17106. Beginning at a point on Route 17059 about 0.2 of a mile west of the Chester Hill Borough-Decatur Township line; thence extending in a westerly and northerly direction through Decatur Township to a point on Route 17057 about 1.2 miles southwest of Pleasant Hill at its intersection with Route 57, in Clearfield County, a distance of about 1.5 miles.]

Route 17108. Beginning at a point on Route 17038 about 0.7 of a mile northwest of Glen Richey; thence northwesterly to a point on Route 869 about 0.4 of a mile southeast of the village of Susuehanna Bridge; thence extending in a northwesterly and northeasterly direction by way of Driftwood School through Lawrence Township to a point on Route 59 near the village of Riverview, in Clearfield County, a distance of about [3.5] 4.5 miles.

[Route 17113. Beginning at a point on Route 668 about 0.2 of a mile east of its intersection with Route 17055; thence in a general southeasterly direction by way of Center Hill and Hope School through Bradford, Graham, and Morris Townships, to a point on Route 313 in the village of Allport, in Clearfield County, a distance of about 5.3 miles.]

Route 17116. Beginning at a point on Route 17060 about 2.0 miles west of Morrisdale; thence northerly and westerly through Morris and Graham Townships to a point on Route [17113] 17061 about [1.0 miles] 1.5 miles east of Sington, in Clearfield County, a distance of about [1.3] 1.7 miles.

Route 18040. Beginning at a point on Route 105 at Hyner; thence in a northeasterly direction through Chapman Township, Clinton County, for a distance of about [1.0 mile] 2.5 miles to a Forestry Road.

Route 19008. Beginning at a point on Route 19006 approximately 1.0 mile southeast of Newlin; thence easterly through Locust Township to Mill Grove; thence easterly, northerly and westerly through Roaring Creek Township, to a point on Route 19005 [approximately 0.75 of a mile east of Mill Grove,] at Kulp, in Columbia County, a distance of about [1.5] 4 miles.

Route 19057. Beginning at a point on the Lycoming-Columbia County line about 1.0 mile north of Pine Summit; thence easterly through Pine Township approximately 1.0 mile to Shingle Run; thence [southerly along Shingle Run] northerly and easterly through Pine Township to the intersection of State Highway Route [303] approximately 1.5 miles northwest of its intersection with State Highway Route 239, in Columbia County, a distance of about [3.3] 3 miles.

[Route 23078. Beginning at a point on Route 421 about Station 102 in Nether Providence Township and extending in a northwesterly direction through Nether Providence Township to a point at the intersection of Wallingford and Manchester Avenue, in Delaware County, a distance of about .7 of a mile.]

Route 25002. Beginning at a point on [Route 709 about two miles east of] the Ohio State line [at] thence easterly to Brown School Corners; thence easterly and southerly in Conneaut Township through Cherry Hill and Kidders Corners to a point on Route 85 at Runyans Corners, about .25 of a mile west of Albion Borough, in Erie County, a distance of about [7.3] 8.8 miles.

Route 25061. Beginning at a point on the east line of

Wattsburg Borough; thence northeasterly in Venango Township along Spafford Run to a point on the public road near Tracy School, about 1.5 miles west of the west line of New York State; [thence northerly in Venango Township, via Brummigen Corners and Macedonia School, to the south line of Greenfield Township; thence northerly in Greenfield Township, via Wilson School, Ashton Corners, and Bulls Corners, to the south line of Northeast Township; thence northerly in Northeast Township to the Findley Lake Road at Burd School,] in Erie County, a distance of about [12.4] 1.18 miles.

[Route 26066. Beginning at the intersection of State Route 113 about .25 of a mile southeast of Brownsville, and extending in a northwest direction to the Brownsville Borough line, in Fayette County, a distance of about .46 of a mile.]

[Route 26106. Beginning at a point on the Monongahela River at Huron Station in German Township; and extending in a southeasterly direction to Big Tree, in Fayette County, a distance of about .6 of a mile.]

Route 26120. Beginning at the [intersection of the improved county road and Route 26107 near Tippecanoe] eastern end of Route 26020; thence in a general southerly direction through [Redstone and] Franklin [Townships] Township to a point on Route 26022, about 0.2 of a mile west of the Smock School, in Fayette County, a distance of about [2.2 miles] 0.7 of a mile.

Route 27010. Beginning at [an intersection with Route 253 about 5 of a mile northeast of Nebraska, being the Guitonville Road; extending east and northeast in Greene Township to a point on the Greene-Kingsley Township line; thence northeasterly and southeasterly through corner of Kingsley Township to a point on the Kingsley-Greene Township line] a point on Route 27019 about one mile south of Nebraska; thence through Greene Township, via [Geebuck Corners] Golinza and Guitonville to a point on the Greene-Kingsley Township line, thence through southeast corner of Kingsley Township, via Muzette Corners, to a point on the Kingsley-Jenks Township line about 1.25 miles north of southeast corner of Kingsley Township; thence easterly in Jenks Township, via Williams Station and Peters Corners, to an intersection with Route 380 [at] near Roses, in Forest County, a distance of about 13.1 miles.

[Route 43003. Beginning at the Lawrence-Mercer County line and running in a northwest direction in Shenango Township past Oak Hill School to a point of intersection with the New Bedford-Middlesex Road at Clark's Corners in Mercer County, a distance of about 16 miles.]

Route 43006. Beginning at [State Route 238 at Clark's Corners; and running east through Shenango Township to a point on the dividing line between Shenango and Lackawannock Townships; thence in a generally northwesterly direction, by way of] a point on Route 43005 at Carbon Crossroads; thence to Strubble Corners; thence north through Greenfield, and continuing north in Lackawannock Township to a point on the dividing line between Lackawannock and Jefferson Townships, across State Route 74 at Charleston, and continuing north in Jefferson Township to point of intersection with State Route 320 at the Seth Fruit Farm, in Mercer County, a distance of about [10.8] 9.4 miles.

Route 43016. Beginning at a point on the dividing line between Lawrence and Mercer Counties about .75 of a mile east of Number 2 Mine; and running north through Springfield Township, [by way of Number 5 Mine and Blacktown, to a point on the dividing line between Springfield and Findley Townships; thence north in Findley Township] to a point of intersection with State Route [73 known as Uber's Corners,] 43014, in Mercer County, a distance of about [5.8] 2.07 miles.

Route 49056. Beginning at a point on Route 49055 near its intersection with Route 49054; thence northerly through East Chillisquaue Township to the intersection with State Highway Route 259 at Pottsgrove, thence northerly in East Chillisquaue and Turbot Townships to a point on Route 635, in Northumberland County, a distance of about [1.5] 3.7 miles.

Route 49070. Beginning at a point on State Highway Route 336 in Coal Township about 1.5 miles northwest of Shamokin Borough; thence northeasterly through Coal Township to its intersection with State Highway Route 161 about 5 of a mile south of Weigh Scales, in Northumberland County, a distance of about .6 of a mile.]

[Route 49080. Beginning at a point on Route 49081 approximately 0.7 of a mile south of its intersection with Route 49027; thence in a westerly direction through Rockefeller Township to a point on Route 49027 about 1.0 mile south of the intersection of Routes 49027 and 49028, in Northumberland County, a distance of about 0.8 of a mile.]

[Route 49081. Beginning at a point on Route 49080 about one half mile south of Seven Points; thence northerly in Rockefeller Township to a point on Route 49027 about 0.1 of a mile west of its intersection with Route 49028, in Northumberland County, a distance of about .7 of a mile.]

[Route 49106. Beginning at a point on Route 182 at Union Corner; thence in a westerly direction through Rush Township to a point on Route 49074 about 1.0 mile south of its intersection with Route 49074 about 1.0 mile south of its intersection with Route 49040, in Northumberland County, a distance of about 5.4 miles.]

[Route 49112. Beginning at a point on Route 49007 about 0.1 of a mile east of the Dauphin-Northumberland County lines; thence northerly and westerly through Jordon and Lower Mahanoy Townships to a point on Route 336 near Route 49003 in Northumberland County, a distance of about 2.5 miles.]

Route 50001. Beginning at a point in [Toboyne] Jackson Township, at [a point on a township road along Houston Run, about .5 of a mile west] the west end of a bridge across Houston Run about 1.4 miles east of the Jackson-Toboyne Township line; thence easterly and northerly through [Toboyne and] Jackson [Townships] Township to a point on the southern boundary line of Blain Borough; thence from a point on the northern boundary line of Blain Borough, easterly through Jackson, Southwest Madison, Northeast Madison and Saville Townships, by way of Stony Point and Kistler, intersecting Route 590, to a point in Saville Township, intersecting Route 191 at Ickesburg; thence from a point in Saville Township, intersecting Route 191 about .5 of a mile southeast of Ickesburg, easterly and southerly to a point intersecting Route 591 at Eschol; thence from a point in Tuscarora Township, intersecting Route 591 about .5 of a mile east of the Tuscarora-Saville Township line, easterly through Tuscarora Township to a point intersecting Route 50024 about one mile southeast of Route 191 in Tuscarora Township; thence from a point on Route 31 about .25 of a mile south of Millerstown Borough, in Greenwood Township, in an easterly direction through Greenwood and Liverpool Townships, by way of Reward and Berlee, to a point on the western boundary line of Liverpool Borough, in Perry County, a distance of about [38.46] 36.4 miles.

Route 50015. Beginning at a point in Wats Township, intersecting Route 275 about [1.5 of a mile] 2.75 miles north of Amity Hall; thence [northeasterly and] easterly to a point on the northern boundary line of New Buffalo Borough; thence [from a point on the northern boundary line of New Buffalo Borough,] northerly through Watts Township to the intersection of a township road leading to Half Falls, about .5 of a mile south of the Watts-Buffer Township line, in Perry County, a distance of about [6.42] 5.41 miles.

Route 50036. Beginning at a point on Route 50004 about 0.5 of a mile east of Pine Grove School; thence in an easterly direction through Miller Township to the Wheatfield Township line near Losh Run Station, in Perry County, a distance of about 38 miles.

Route 50050. Beginning at a point on Route [50008 about 0.2 of a mile east of the Jackson-Southwest Madison Township line in Couchtown] 50001, south of Blain; thence extending in an easterly direction, via Couchtown and Green Grove School through Jackson Township and Southwest Madison Township, to a point on Route 50009 near Shermans Creek, in Perry County, a distance of about [2.7] 4.1 miles.

Route 54001. Beginning at a point on the Juniata County line about six miles east of the corner between Mifflin, Juniata, and Snyder Counties; thence easterly along the west branch of Mahantango Creek, a distance of about three miles; thence northerly and easterly through West Perry and Perry Townships to the intersection with State Highway Route 195 about 1.5 miles north of Mt. Pleasant Mills, in Snyder County, a distance of about 8.6 miles.

Route 54007. Beginning at a point on State Highway Route 1195 about 1.5 miles south of Middleburg; thence southeasterly through Franklin and Washington Townships to the crossing of State Highway Route 194 about two miles west of Freeburg; 54016 near its intersection with Route 54017; thence southerly through Washington Township to the Chapman Township line; thence southeasterly along the Chapman-Union Township line to the intersection with State Highway Route 229 about three miles northeast of McKees Half Falls, in Snyder County, a distance of about 11.4 7.05 miles.

Route 54020. Beginning at a point on State Highway route 229 about 1.5 miles south of the crossing of Middle Creek; thence westerly through Union Township to the intersection with Route 54014 about 0.5 of a mile north of Verdilla, in Snyder County, a distance of about 1.7 miles.]

Route 54021. Beginning at a point on State Highway route 229, just south of the bridge over Middle Creek; thence westerly through Union and Penn Townships to [the crossing of Middle Creek at the Washington Township line, and the intersection with] Route [54014] 54051, in Snyder County, a distance of about 1.4 miles.

Route 57020. Beginning at a point on Route 57010, Lathrop Township, approximately .5 of a mile east of Springville Township line; thence northerly through Lathrop Township, intersecting Route 57019; thence northerly through Lathrop and Brooklyn Townships; thence northeasterly through Brooklyn Township [crossing county road at] via Lindaville; thence northerly through Brooklyn Township, crossing Route 9 Spur (and county road) near Brooklyn, [in Brooklyn Township] to a point where it intersects Route 174 approximately 1.75 miles southwest of Alford 57110 in Susquehanna County, a distance of about [7.43] 6.7 miles.

Route 57073. Beginning at a point on Route 57074, [Silver Lake Township at] 1.2 miles southeast of Brackney; thence northerly and easterly through Silver Lake and Liberty Townships, intersecting Route 57072; thence to a point, where it intersects Route 263 at Brookdale, in Susquehanna County, a distance of about [6.47] 5.9 miles.

Route 57082. Beginning on Route 57086 approximately [2.5 miles] one mile south of the Apolacon Township line; thence in a [northeasterly] southeasterly direction through Middletown Township to Jackson Valley; thence in a southeasterly direction; thence easterly, crossing Route 468 near Middletown Center, intersecting Route 57088; thence northeasterly through Middletown Township to the southeasterly boundary line of the borough of Friendsville; thence from the northerly borough line of Friendsville, in a northerly direction, through Choconut Township to a point where it intersects Route 57083 approximately 1.5 miles east of the Apolacon Township line, in Susquehanna County, a distance of about [10.41] 10.66 miles.

[Route 57100. Beginning at a point on Route 57098 about 0.4 of a mile south of Transue School; thence southwesterly through Auburn Township to the Bradford

[Route 57118. Beginning at a point on Route 467 about 0.5 of a mile north of Middletown Center; thence in a northeasterly direction through Middletown and Apolacon Townships to the Friendsville Borough line, in Susquehanna County, a distance of about 2.9 miles.]

Route 57124. Beginning at a point on Route [57078 about 0.2 of a mile south of Route 57116;] 57074, about 1.2 miles north of Laurel Lake; thence easterly and southeasterly through Silver Lake and Liberty Townships to a point on Route 57075 about 1.0 mile west of Lawsville Centre, in Susquehanna County, a distance of about [6.3] 4.3 miles.

[Route 57136. Beginning at a point on Route 365 about

0.5 of a mile south of Gelatt; thence in a northwesterly direction through Gibson Township to a road intersection near the outlet of Stearns Lake, in Susquehanna County, a distance of about 1.0 mile.]

Route 59016. Beginning at a [point on State Highway Route 27 at] road intersection about 1.5 miles north of Dry Valley Crossroads; thence northerly through [Union and] East Buffalo [Townships] Township to the intersection of State Highway Routes 24 and 26 near the Lewisburg High School, in Union County, a distance of about [4.8] 3.5 miles.

Route 63021. Beginning at a point on State Highway Route [575 approximately one mile west of Wilsonville in Paupack Township; thence westerly through Paupack Township, touching State Highway Route] 575 at Uswick; thence northwesterly through Paupack and Cherry Ridge Townships to a point, where it intersects State Highway Route 171 near Hoadleys, in Wayne County, a distance of about [7.4] 4.75 miles.

Route 63027. Beginning at a point on [a county road] Route 33 approximately .25 of a mile northwest of Narrowsburg, New York; thence northerly through Damascus Township, intersecting Route 63029 at Milanville; thence northerly through Damascus Township, intersecting county road at Damascus; thence northerly through Damascus Township; thence westerly through Damascus Township, intersecting Route 63045; thence northwesterly through Damascus and Manchester Townships thence southwesterly through Manchester and Damascus Townships to a point, where it intersects State Highway Route 173 approximately .9 of a mile south of the village of Lookout in Manchester Township, in Wayne County, a distance of about [21.95] 20.5 miles.

Route 63038. Beginning at a point on State Highway Route [583 approximately .5 of a mile northeast of the junction of Susquehanna, Lackawanna, and Wayne Counties;] 949 about 1.25 miles north of the intersection of Route 63037, thence easterly through Clinton Township, [crossing county road; thence easterly through Clinton Township] to a point, where it intersects State Highway Route 227 at Aldensville, in Wayne County, a distance of about [6.9] 2.1 miles.

[Route 63046. Beginning at a point at the present end of county road in the village of Stakler in Manchester Township; thence southeasterly through Manchester Township to a point, where it intersects a secondary township road, in Wayne County, a distance of about 1.35 miles.]

Route 63053. Beginning at a point on the present northerly end of State Highway Route 584 in Preston Township; thence in a northwesterly direction through Preston Township to a point where it intersects Route [63051] 63060, [approximately .75 of a mile east of Lake-wood] in Wayne County, a distance of about [3.85 miles] .57 of a mile.

Route 63071. Beginning at the eastern terminus of Route 63037; thence in a southerly direction through Clinton Township to an intersection with Route 63036; [thence in an easterly and northerly direction to a point on Route 227, about 0.5 of a mile south of Aldenville] in Wayne County, a distance of about [3.9] 1.4 miles.

Route 63072. Beginning at a point on Route 63033 directly east of Glass Pond No. 1; thence extending in a westerly and southwesterly direction along the southeastern side of Glass Pond No. 1, in Dyberry Township, Wayne County, a distance of about 0.9 of a mile.

[Route 63074. Beginning at a point on Route 335 about 1.5 miles southwest of Beach Lake; thence in a northwesterly and northeasterly direction through Berlin Township to a point on Route 63030, about 1.25 miles south of the Damascus-Berlin Township line, in Wayne County, a distance of about 2.9 miles.]

[Route 63075. Beginning at a point on Route 63027 about 3.0 miles south of Milanville; thence in a westerly direction through Damascus Township to a road intersection, in Wayne County, a distance of about 1.5 miles.]

[Route 63076. Beginning at a point on the Belmont and Easton turnpike road near the Clinton-Mt. Pleasant Township line; thence in a general southeasterly direction thorough Clinton and Mt. Pleasant Townships to a

point on Route 227, about 0.5 of a mile south of the Clinton-Mt. Pleasant Township line, in Wayne County, a distance of about 1.4 miles.]

[Route 63082. Beginning at the intersection of Route 63017 and 63034; thence southeasterly in South Canaan and Cherry Ridge Townships to a point on Route 63068 near Clemo, in Wayne County, a distance of about 3.1 miles.]

[Route 63084. Beginning at a point on Route 949 about 1.0 mile south of its intersection with Route 227; thence westerly in Mt. Pleasant Township to the Susquehanna County line, in Wayne County, a distance of about 0.8 of a mile.]

[Route 63090. Beginning at a point on Route 945 at Rileyville; thence in a northeasterly direction through Lebanon and Damascus Townships to a point on Route 173 about 0.7 of a mile south of its intersection with Route 63027, in Wayne County, a distance of about 4.4 miles.]

[Route 63095. Beginning at a point on Route 172 about 0.3 of a mile east of its intersection with Route 63013; thence in a northeasterly direction through Salem Township to an intersection with Route 171 and Route 949, in Wayne County, a distance of about 1.9 miles.]

Route 63098. Beginning at a point on Route 63059 near the New York State line; thence southwesterly through Scott Township [to a road intersection in] by way of the village of Sherman, to a road intersection one mile southwest of the village of Sherman, in Wayne County, a distance of about [1.6] 2.6 miles.

Route 63099. Beginning at a point on Route 950 about [1.0 mile] 1.5 miles northwest of the Pike County line; thence southwesterly through Palmyra Township to a point on the Hawley Borough line, in Wayne County, a distance of about [1.6 miles] 1.0 mile.

[Route 63100. Beginning at a point on Route 949 about 2.0 miles north of South Canaan; thence westerly through South Canaan Township to a point on the Lackawanna County line, in Wayne County, a distance of about 2.4 miles.]

[Route 63101. Beginning at a point on Route 945 about 0.1 of a mile west of Route 63045; thence southwesterly through Damascus Township to a road intersection about 0.7 of a mile south of Tyler Hill, in Wayne County, a distance of about 2.9 miles.]

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. FISS offered the following amendments:

Amend Section 2 Page 2, by inserting after line 14, the following:

CHESTER COUNTY

Route 15236. Beginning at a point on Route 360 at Ercildown; thence northeasterly in East Fallowfield Township to a point on Route 15067, in Chester County, a distance of about 0.7 of a mile.

Route 15237. Beginning at a point on Route 274 at Cochranville; thence southerly and southeasterly in West Fallowfield and Londonderry Townships to a point on Route 15032 at Daleville, in Chester County, a distance of about 31 miles.

DELAWARE COUNTY

Route 23123. Beginning at a point on Route 421 about 0.8 of a mile south of Route 23013; thence in a northeasterly direction through Nether Providence Township to a point on Route 23070 about 0.1 of a mile west of Cruum Creek, in Delaware County, a distance of about 0.70 of a mile.

ELK COUNTY

Route 24030. Beginning at a point on the Elk-Jefferson County line at the end of Route 33048; thence in a north-

easterly and northwesterly direction through Horton Township to a point on Route 59 about 0.2 of a mile east of the Elk-Jefferson County line, in Elk County, a distance of about 2.50 miles.

ERIE COUNTY

Route 25120. Beginning at a point on Route 761 at its intersection with the Bartlett Road; thence in a northwesterly direction through Harbor Creek Township to a point on Route 495, about 0.25 of a mile southwest of Elliotts Run, in Erie County, a distance of about 1.20 miles.

Route 25121. Beginning at a point on Route 25102 about one mile southwest of Route 25010; thence in a northerly direction through Elk Creek Township to a point on Route 25010, at Murphys Corners, in Erie County, a distance of about 1.1 miles.

Route 25122. Beginning at a point on Route 272 Spur at its intersection with Homer Avenue; thence in a northwesterly direction through Mill Creek Township to a point on Route 272, in Erie County, a distance of about 0.4 of a mile.

Route 25123. Beginning at a point on Route 496 about 0.5 of a mile west of Route 86; thence in a northerly direction through Fairview Township, in Erie County; a distance of about 0.5 of a mile.

Route 25124. Beginning at a point on Route 25027 about 1.0 mile northwest of Lawrence School; thence in a northerly direction through Greene Township to a point on Route 88 about 0.5 of a mile west of Hammett, in Erie County, a distance of about 0.3 of a mile.

Route 25125. Beginning at a point on Route 709 at the northern line of Edinboro Borough; thence in a northwesterly direction through Washington Township to a point on Route 25011 at Cunningham Corners, in Erie County, a distance of about 1.9 miles.

FAYETTE COUNTY

Route 26078. Beginning at a point on Route 26077 about .8 of a mile north of Old Frame; thence in a westerly and northwesterly direction to an intersection with Route 26079 about one mile south of Masontown Borough line, in Fayette County, a distance of about 2.5 miles.

FOREST COUNTY

Route 27025. Beginning in the village of Dawson; thence northerly in Harmony Township to a point on Route 27004, in Forest County, a distance of about 2.5 miles.

Route 27026. Beginning at a point on Route 27001, about one-half mile west of the Clarion County line; thence northerly in Tionesta Township to a point on Route 92, in Forest County, a distance of about 2 miles.

Route 27027. Beginning at a southern terminus of State-Aid Application 6380 at Marienville; thence southerly in Jenks Township to the Elk County line, in Forest County, a distance of about 4.4 miles, provided, however, that this road shall not be taken over by the Department of Highways until the presently contemplated improvement shall have been completed.

MERCER COUNTY

Route 43109. Beginning at a point on the west borough line of West Middlesex about 0.20 of a mile north of Route 238 Spur B; thence in a northwesterly and northerly direction through Shenango and Hickory Townships to a point on Route 43092 at the Pennsylvania-Ohio State line Mercer County, a distance of about 3.40 miles.

Route 43110. Beginning at a point on Route 43017 near Blacktown; thence westerly through Springfield Township to an intersection with Route 246 near Millburn, in Mercer County, a distance of about 3.3 miles.

NORTHUMBERLAND COUNTY

Route 49121. Beginning at a point on the East Borough line of Watontown Borough; thence in a northeasterly direction through Delaware Township to a point on Route 49061 about 1.0 mile west of Warrior Run in Northumberland County, a distance of about 2.50 miles.

Route 49122. Beginning at a point on Route 161 about .2 of a mile east of Shamokin; thence southerly to Tioga Street in the village of Marshallton; thence over Tioga and Sheridan Streets, Pulaski Avenue, Sherman, Wabash and Logan Streets to the entrances of St. Mary's and Hebrew Cemeteries, and from Logan Street over Eagle Street to the St. Michael Cemetery, in Coal Township, Northumberland County, a distance of about 1.5 miles.

Route 49123. Beginning at a point on Route 633 near Hamilton; thence in a general southwesterly direction in Upper Augusta Township to the Rockefeller Township line, in Northumberland County, a distance of about 2.1 miles.

Route 49124. Beginning at a point on Route 283 south of Shamrock; thence in an easterly direction in Ralpho Township to a point on Route 182 about 0.4 of a mile west of Elysburg, in Northumberland County, a distance of about 1.3 miles.

PERRY COUNTY

Route 50051. Beginning at a point on Route 50010 about one mile south of Loysville; thence westerly in Tyrone Township to the Southwest Madison Township line, in Perry County, a distance of about 1.7 miles.

PIKE COUNTY

Route 51036. Beginning at a point on Route 254 about one-half mile southwest of the Palmyra Township line; thence northerly in Greene Township to the Ledge Dale Bridge, in Pike County, a distance of about 2 miles.

SNYDER COUNTY

Route 54067. Beginning at a point on Route 25 just north of the Penn-Monroe Township line; thence easterly a distance of approximately four hundred feet to a road intersection; thence northerly through Monroe Township via Hummels Wharf to the Shamokin Dam Boro line, in Snyder County, a distance of about 2.3 miles.

Route 54068. Beginning at a point on Route 54042 north of Salem; thence easterly through Penn Township to the intersection with Route 455 north of Dogtown, in Snyder County, a distance of about 1.8 miles.

Route 54069. Beginning at a point on Route 54041 about .4 of a mile south of Clifford Station; thence in a westerly direction through Penn Township to the intersection with Route 54065 in Snyder County, a distance of about 1.2 miles.

SUSQUEHANNA COUNTY

Route 57145. Beginning at a point on Route 57032 about 0.4 of a mile north of Route 57111; thence northerly through Brooklyn Township to a point on Route 174, in Susquehanna County, a distance of about one mile.

Route 57146. Beginning on Route 57043 near Fiddle Lake; thence northwesterly through Ararat and Gibson Townships to a point on Route 365, in Susquehanna County, a distance of about 3 miles.

Route 57147. Beginning on Route 57043 about 0.9 of a mile north of Dimock Corners; thence northwesterly through Herrick and Gibson Townships to a point on Route 57146 about 0.6 of a mile west of the Ararat Township line, in Susquehanna County, a distance of about 2.7 miles.

Route 57148. Beginning on Route 944 about one mile west of the Clifford Township line; thence northerly 365, in Susquehanna County, a distance of about 1.3 miles. through Lenox and Gibson Townships to a point on Route

Route 57149. Beginning on Route 57022 about 1.8 miles east of Dimock; thence northerly through Dimock and Bridgewater Townships to a point on Route 57009 about 0.8 of a mile east of South Montrose, in Susquehanna County, a distance of about 3.8 miles.

Route 57150. Beginning at a point on Route 365 about 1.7 miles north of South Gibson; thence northerly in Gibson Township, to a point on Route 57045, in Susquehanna County, a distance of about 1.2 miles.

UNION COUNTY

Route 59047. Beginning at a point on Route 27 south of

Winfield, thence southerly through Union Township to the Snyder County line, in Union County, a distance of about 1.7 miles.

WAYNE COUNTY

Route 63107. Beginning at a point on Route 63058 about 1.6 miles northwest of Scott Center; thence in a northerly direction through Scott Township to a point on Route 63098, in Wayne County, a distance of about 3.5 miles.

Route 63108. Beginning at a point on Route 63058 about .3 of a mile west of Scott Center; thence in a southwesterly direction through Scott Township to the Starrucca Borough line, in Wayne County, a distance of about 3.1 miles.

Route 63109. Beginning at a point on Route 63024 about .7 of a mile northwest of Perkins Lake; thence northwesterly through Berlin Township to a point on Route 335, in Wayne County, a distance of about 1.6 miles.

Route 63110. Beginning at a point on Route 63045 near the village of Damascus; thence northerly about 2.8 miles, thence easterly through Damascus Township to a point on Route 63027, in Wayne County, a distance of about 4.2 miles.

Route 63111. Beginning at a point on Route 943 at Cherry Ridge; thence northeasterly in Cherry Ridge Township to a point on Route 63034, in Wayne County, a distance of about 1.5 miles.

Route 63112. Beginning at a point on Route 63009 about .3 of a mile south of Route 575; thence in an easterly and northeasterly direction through Paupack Township to a point on Route 575, in Wayne County, a distance of about 3.9 miles.

Route 63113. Beginning at a point on Route 63008 about .7 of a mile north of Ledge Dale; thence northeasterly through Salem Township to a point on Route 951, in Wayne County, a distance of about 1.7 miles.

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes.

The first section was read.

On the question,

Will the House agree to the section?

Mr. FISS offered the following amendments:

Amend Section 1, Page 2, by inserting after line 7, the following:

EASTVALE BOROUGH

Application 124. Beginning at a point on Eastvale Borough-North Sewickley Township line, thence southeasterly over Second Avenue to an intersection with Fourth Street, thence westerly over Fourth Street to the [Fetterman Bridge] Beaver Falls City line, in the Borough of Eastvale, Beaver County, a distance of about [44] .7 of a mile.

FRIENDSVILLE BOROUGH

[Route 57118. Extending Route 57118. Beginning at a point on Friendsville Borough-Apolacon Township line; thence in a northeasterly direction over North Branch

Street to a point on Route 944, at North Branch and Turnpike Streets, in the borough of Friendsville, Susquehanna County, a distance of about 0.5 of a mile.]

UNIONDALE BOROUGH

Route 57041. Extending Route 57041. Beginning at a point on the Uniondale Borough-Herrick Township line, thence in an easterly direction on Lake Street, Darrow Street and Church Street to [the eastern borough line] a point on Route 296, in the borough of Uniondale, Susquehanna County, a distance of about [1.57 miles] 0.9 of a mile.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. FISS offered the following amendments:

Amend Section 2, Page 2, by inserting after line 9, the following:

NORTHUMBERLAND COUNTY

WASHINGTON BOROUGH

Route 49121. Extending Route 49121. Beginning at a point on Route 18 at its intersection with Pennsylvania Avenue; thence over Pennsylvania Avenue and Vincent Avenue to the eastern borough line of Watontown Borough, in Northumberland County, a distance of about 0.17 of a mile.

SNYDER COUNTY

SHAMOKIN DAM BOROUGH

Route 54067 Extending Route 54067. Beginning at a point on the southerly line of Shamokin Dam Borough at Market Street; thence northerly over Market Street to an intersection with Route 25, a distance of about 1.3 miles.

SNYDER COUNTY

SELINSGROVE BOROUGH

Route 455. Beginning at the intersection of Broad and Walnut Streets, thence easterly on Walnut Street to a point on Route 194 at Market and Walnut Streets, in the Borough of Selinsgrove, Snyder County, a distance of about 0.22 of a mile.

WAYNE COUNTY

HAWLEY BOROUGH

Route 63099. Extending Route 63099. Beginning at a point on the eastern line of Hawley Borough at Ridge Street; thence southwesterly over Ridge Street to a point on Route 7, in the Borough of Hawley, a distance of about 0.14 of a mile.

STARRUCCA BOROUGH

Route 63108. Extending Route 63108. Beginning at a point on the eastern line of Starrucca Borough; thence westerly on a borough street to a point on Route 63058, in the Borough of Starrucca, Wayne County, a distance of about 1.5 miles.

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine

hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms, conditions and limitations of certain streets in cities of the second class, second class A and third class as State highways and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act," by changing or deleting certain routes and adding certain new routes.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1033, entitled:

An Act to amend clause (a) of Section five hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the levy of school taxes in school districts of the first class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 49, entitled:

An Act providing that the statement of registration issued to electors and his signed declaration of age shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof and false statements imposing penalties and saving from prosecution licensees serving holders of such statements making such declaration

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76 and

Senate Bill No. 246, Printer's No. 83

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 335, entitled:

An Act to amend section seventeen of the act approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185,

Senate Bill No. 542, Printer's No. 222 and

Senate Bill No. 601, Printer's No. 284

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1148, as follows:

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organizations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (P. L. 369) is hereby further amended to read as follows

Section 1004 Pledge of Assets for Deposits A bank or a bank and trust company shall not have the power to pledge or hypothecate any of its assets as security for deposits made with it except for the following

(1) Federal State municipal school district or other public funds including monies deposited by any pension fund in which the members are or have been employees of any political subdivision within the Commonwealth and such other funds for which such political subdivisions of any officer or duly authorized employee thereof shall act as custodian or trustee

(2) Funds deposited by the Secretary of Banking as receiver of a corporation or person of which he has pursuant to the provisions of law taken possession

(3) Funds deposited by a bank and trust company in its own commercial department which funds are being held by such bank and trust company in a fiduciary capacity and are being deposited by it pending investment or distribution

(4) Funds deposited by a corporation or person which are required to be secured by law or an order of a court having jurisdiction

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Morrison,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Cadano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassey,

Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Snyder, Mr. Fiss, to preside.

Mr. FISS IN THE CHAIR

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 83, as follows:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycle pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by providing for the compulsory permanent revocation of operator's license on second conviction

tion of operating a motor vehicle while under the influence of intoxicating liquor or narcotic or habit producing drug

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of thi Commonwealth providing for the titling including lien encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribi... and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated town townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipt making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 614 Revocation of Operating Privilege (a) Upon receiving a certified record from the clerk of the court of proceedings in which a person pleaded guilty entered a plea of nolo contendere or was found guilty by a judge or jury of any of the crimes enumerated in this section the secretary shall forthwith revoke for a period of one (1) year from the date of revocation the operating privilege of any such person and where such person was convicted or entered a plea of guilty or nolo contendere of any one of the crimes enumerated in clauses (1) (2) (3) and (4) of this section such operating privilege shall not be restored unless and until the fine and costs imposed in such cases have been fully paid The clerk of the court shall when such fine and costs have been so paid in any such case certify such fact to the Department of Revenue

1 Operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug or permitting any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

Where such person was convicted or entered a plea of guilty or nolo contendere for the second time of the crime of operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug the secretary shall forthwith permanently revoke the operating privilege of any such person

2 Using a false or fictitious name or giving a false or fictitious address in any application or form required under the provisions of this act or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any application

3 Any crime punishable as a felony under the motor vehicle laws of this Commonwealth or any other felony in the commission of which a motor vehicle is used

4 Conviction of an operator of a motor vehicle involved in an accident resulting in injury or death to any person or damage to property upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident

On the question,
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, this is the bill with which the House has been indulging in flip-flops, that at one time provided for the revocation of a driver's license upon second conviction of having driven while drunk. Then it provided at another time, when the House changed its mind, for revocation of the driver's license when the driver had been convicted three times. Now it is back to a second conviction.

Now, in my city, Johnstown, I don't know whether legally or illegally, very frequently there are convictions in the Magistrate's court of having driven a car while drunk, and no Commonwealth charge is brought. I would like to inquire of the sponsor of this bill whether this measure applies to a conviction in a Magistrate's court where there is no Commonwealth charge and they are jailed under a city ordinance, properly or improperly, or whether it applies only to convictions on a Commonwealth charge.

The SPEAKER pro tempore. Will the gentleman from Allegheny, Mr. Stuart, permit himself to be interrogated?

Mr. STUART. I shall, Mr. Speaker.

Mr. ANDREWS. Did the gentleman hear the inquiry?

Mr. STUART. Yes, I did, Mr. Speaker. In reply to that interrogation I have always understood that under the State law it is illegal for any municipality to fine a person for drunken driving, and that the charge on that offense must be brought under State law.

Mr. ANDREWS. Mr. Speaker, that is as I am informed according to the Statute—that is the correct interpretation, and I presume then the message ought to be conveyed to the authorities in some of the third class cities that have been in one way or another collecting fines for drunken driving. But I understand that the gentleman's bill applies only to convictions on Commonwealth charges?

Mr. STUART. Mr. Speaker, I do not understand the inquiry.

Mr. ANDREWS. Whether this bill applies only in the case of convictions on the Commonwealth's charge?

Mr. STUART. Yes, Mr. Speaker, that would be twice on the Commonwealth charges. I might add, Mr. Speaker, that I am not an attorney, but I was a Justice of the Peace at one time, and I recall an incident in which I fined a man \$100 and costs and the District Attorney called me on the carpet and told me that the conviction was strictly illegal. It had been a practice for some time, but still was not legal.

Mr. ANDREWS. Mr. Speaker, I am glad to find out that there are other communities besides my own that indulge in illegal practices. I just wanted to be sure that this bill did not apply to a conviction in a magistrates' court where the municipality collected the fine and brought no Commonwealth charge.

Mr. CHUDOFF. Mr. Speaker, I would like to interrogate the sponsor of the bill, Mr. Stuart.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STUART. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman whether he is aware that we have several reciprocal agreements with other states surrounding Pennsylvania?

Mr. STUART. I cannot answer that question, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know

further from the gentleman whether he knows that under the law of the State of New Jersey if a man is charged with the crime of driving while under the influence of intoxicating liquor he is summoned before the justice of the peace and on summary conviction is fined two hundred dollars in the State of New Jersey, whether that will be taken into consideration by the Department of Revenue in revoking a man's license under this bill.

Mr. STUART. I cannot answer for the Department of Revenue, Mr. Speaker, and I do not know.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman under the reciprocal agreement with the State of New Jersey whether a license revoked in Pennsylvania for one conviction, even though the operator has not been convicted before a jury, but by a Justice of the Peace, that some other conviction in the State of Pennsylvania will cause the license to be revoked?

Mr. STUART. Mr. Speaker, the gentleman from Philadelphia is running far afield. This bill is not for New Jersey but for Pennsylvania, and I certainly would not attempt to answer that type of question just from my impression, because I do not know.

Mr. CHUDOFF. I thank the gentleman from Allegheny.

Mr. Speaker, this bill is a difficult one to be against, because it has some very fine merits, but I have in my hand a revocation from the Commonwealth of Pennsylvania and an official notification of withdrawal of the Motor Vehicle provisions for one William M. Allen, of Philadelphia for operating a motor vehicle while under the influence of liquor, and upon information received from the Commissioner of Motor Vehicles of the State of New Jersey that this William Allen was convicted of operating the motor vehicle while under the influence of intoxicating liquor in New Jersey, not by a jury, not as a result of having been found guilty by a grand jury in New Jersey, but as a result of having been haled before a justice of the peace and fined two hundred dollars.

Will this bill straighten out a situation such as that where a man can be convicted in a neighboring state by a justice of the peace and have his license revoked in Pennsylvania? I think it is a bad bill and I think this bill should be held on the calendar for possible amendment so that this provision can be stricken from it.

Mr. STUART. Mr. Speaker, this bill was designed to correct conditions in Pennsylvania. As you all know, there have been concerted attempts to legislate for the past two years to reduce the toll of accidents and deaths on the highways. We all know that a great percentage of the accidents are due to drunken driving. I have read the statistics on that and I have read that as many as twenty-five percent of the accidents are due to drunken driving. Therefore, if we can do anything at all to eliminate them we are doing something to make the roads safer for ourselves and our families and all the people. I think that all of us will agree that the drunken driver is a potential murderer, therefore I think we should do something to legislate in defense of all the people to protect them from these drunken drivers. Of course as I said before, I think the drunken driver is a potential murderer, and every day in this State someone is killed or maimed by a person under the influence of intoxicating liquor when driving a car.

Mr. O'DONNELL. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Chudoff.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. CHUDOFF. I shall, Mr. Speaker.

Mr. O'DONNELL. Mr Speaker, I would like to ask the gentleman is it true that the licensing the gentleman refers to in the revocation that he has was the result of a plea of guilty before a Justice of the Peace in New Jersey?

Mr. CHUDOFF. I don't believe he plead guilty in that particular case.

Mr. O'DONNELL. Is it not the gentleman's understanding of the law of New Jersey that if a person pleads guilty the justice of the peace has the privilege of disposing of the matter, and if the person pleads not guilty the Justice of the Peace must hold the person under bail for the action of the court?

Mr. CHUDOFF. No. Mr. Speaker, the Justice of the Peace has the jurisdiction in summary convictions up to \$200 in drunken driving.

Mr. O'DONNELL. Does not that person have the right of appeal from the action of the justice of the peace, Mr. Speaker?

Mr. CHUDOFF. I am not sure, Mr. Speaker. I do not know the answer to that question.

Mr. O'DONNELL. I thank the gentleman.

Mr. ANDREWS. Mr. Speaker, the sponsor of this bill does not drive to the question at issue. It would be very easy for him to state in this bill that the conviction or the plea of guilty should be before the courts of the Commonwealth, and that would eliminate all of the possibility of losing a license upon a conviction before a Magistrate, either in this state or in some other state. I am quite agreed with the gentleman that if a driver is convicted or pleads guilty in our courts, all right, take his license away, but I do not believe that a loosely drawn bill should be permitted to take that license away.

Mr. STUART. Mr. Speaker, I believe that Section 614 will explain some of these points that are arising. That section reads as follows:

"Upon receiving a certified record from the clerk of the court of proceedings in which a person pleaded guilty entered a plea of nolo contendere or was found guilty by a judge or jury of any of the crimes enumerated in this section the secretary shall forthwith revoke for a period of one (1) year from the date of revocation the operating privilege of any person and where such person was convicted or entered a plea of guilty or nolo contendere of any one of the crimes enumerated in clauses (1), (2), (3) and (4) of this section such operating privilege shall not be restored unless and until the fine and costs imposed in such cases have been fully paid. The clerk of the courts shall when such fine and costs have been so paid in any such case certify such fact to the Department of Revenue."

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows :

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Mihm,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,

Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buechin,	Henry,	Naumann,	Stuart,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Neff,	Tahl,
Cassidy,	Hoffman,	Nelson,	Thomassy,
Chervenak,	Hoopes,	O'Connor,	Thompson,
Chudoff,	Horan,	O'Dare,	Tittle,
Clevenger,	Imbt,	O'Donnell,	Tompkins,
Cochran,	Jennings,	O'Neill,	Toomey,
Cole,	Johnson,	Orban,	Turner,
Cook,	Johnston,	Patten,	Ushur,
Cooper,	Jones,	Petrosky,	Vaughan,
Cordier,	Jump,	Pichney,	Verona,
Costa,	Kean,	Pickens,	Wachhaus,
Crowley,	Kelley,	Polaski,	Wagner,
Dague,	Kemp,	Powers,	Waldron,
Dalrymple,	Kent,	Price,	Wallin,
Davison,	Kirley,	Propert,	Walton,
De Long,	Kline,	Ragot,	Waterhouse,
Demech,	Kohl,	Readinger,	Watkins,
Dennison,	Kratz,	Reagan,	Watson,
Depuy,	Krise,	Reese, D. P.,	Weidner,
Dix,	Kurtz,	Reese, R. E.,	Weiss,
Dye,	Laughner,	Reilly, J. M.,	Wescott,
Efenberg,	Layer,	Reilly, W. J.,	West,
Elder,	Lee,	Richter,	Wheeler,
Erb,	Lelsey,	Riley,	Wolf,
Evans,	Livingston,	Robbins,	Wood,
Ewing,	Livingstone,	Robertson,	Worley,
Feola,	Loftus,	Root,	Yeakel,
Fish,	Lovett,	Rose,	Yester,
Fiss,	Lyons,	Rowen,	Yetzer,
Flack,	Madden,	Royer,	Young,
Fleming,	Madigan,	Sarrafi,	Lichtenwalter,
Foor,	Mazza,		Speaker.

NAYS—1

McKinney,

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 535, Printer's No. 543,
was passed over at the request of Mr. SORG.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1043, as follows:

An Act to amend the third paragraph of Section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The third paragraph of Section One of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-

weight reduction drugs in the interest of public health" as amended by the act approved the second day of May one thousand nine hundred forty-five (P. L. 380) is hereby further amended to read as follows

Section 1 * * * * *

"Other hypnotic drug or analgesic drug or body-weight reducing drug" shall be held to mean and include sulphonethylethane (trional) or sulphonmethane (sulphonol) or diethylsulphon diethylmethane (tetronal) or brom-diethylacetylcarbamide (carbromal) by whatever name they may be known or paraldehyde or any derivatives or compounds or preparations or mixtures thereof possessing hypnotic properties or effects and chloral or chloralhydrate or chlorbutanol or any compounds or mixtures thereof possessing hypnotic properties or effects or phenylcinchonic acid (cinchophen) an analgesic antirheumatic drug or any derivative or compound including atophan and atquinol or dinitrophenol a metabolic accelerator body-weight production drug or any dinitro compounds including dinitrophenol sodium and dinitrocresol sodium amphetamine (benzedrine) or compound thereof except that amphetamine (benzedrine) or inhalers may be sold without prescription Provided the amphetamine (benzedrine) therein has been denatured so as to make it unfit for internal use and thyroid when the drugs herein defined or any derivatives or compounds or mixtures or preparations thereof

Section 2 The second paragraph of Section two of the act is hereby further amended to read as follows

Section 2

* * * * *

Sprays eye lotions toothache drops liniments inhalers and external preparation not including vaginal and rectal remedies may be sold at retail provided that such compound or mixture or preparation intended as a spray eye lotion toothache drops liniment inhalers or external application shall contain in addition to the content of Chlorbutanol or other drug defined under this act some other drug or drugs conferring upon it medicinal qualities other than those possessed by the drug used as specified in this act and that such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended and not for the purpose of evading the provisions of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,
Andrews,	Gallagher,	McCosker,
Bane,	Getchey,	McCullough,
Barrett,	Gibson,	McDonald,
Baumunk,	Goff,	McKinney,
Beech,	Goodling,	McMillen,
Bender,	Gorman,	Mihm,
Bentzel,	Graybill,	Mikula,
Bloom,	Greenwood,	Miller,
Boles,	Greer,	Mills,
Bonawitz,	Griffiths,	Mintess,
Boorse,	Guthrie,	Mohr,
Bower,	Gyger,	Mooney,
Breisch,	Hall,	Moore, C. E.,
Brice,	Haller,	Moore, H. A.,
Brown,	Haudenschild,	Morrison,
Brunner,	Helm,	Murray,
Bucchin,	Henry,	Myers,
Cadwalader,	Hewitt,	Naumann,
Capano,	Hocker,	Needham,
Cassidy,	Hoffman,	Neff,
Chervenak,	Hoopes,	Nelson,
Chudoff,	Horan,	O'Connor,
Clevenger,	Imbt,	O'Dare,
Cochran,	Jennings,	O'Donnell,
Cole,	Johnson,	O'Neill,
Cook,	Johnston,	Orban,
Cooper,	Jones,	Patten,
Cordier,	Jump,	Petrosky,
		Verona,

Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Probert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. FLEMING.

The House resumed the consideration on final passage of House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. FLEMING. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. RICHTER. Mr. Speaker, I second the motion.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Fleming vote on agreeing to the bill on third reading?

Mr. FLEMING. Mr. Speaker, I voted in the majority.

The SPEAKER pro tempore. How did the gentleman from Allegheny, Mr. Richter, vote on agreeing to the bill on third reading?

Mr. RICHTER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Messrs. RICHTER and BROWN. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER pro tempore. The amendment will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 2, page 2, by striking out line 11.

Amend section 3, page 6, line 12 by inserting after the word "term" the following "facility or".

Amend section 9, page 23, line 18 by inserting after the word "worship" the following "Nor property which at the effective date of this act is used as a facility or facilities for the parking or motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinances of the city".

The SPEAKER pro tempore. Will the House give unanimous consent to the offering of amendments at this time? Is here objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agreed to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

TIME EXTENDED ON BILLS

Mr. SORG asked and obtained unanimous consent to extend the time five days on House Bill No. 641, Printer's No. 376, on page 12 of today's calendar, bills on final passage postponed.

CLASSES OF SPRINGFIELD HIGH SCHOOL WELCOMED

The SPEAKER pro tempore. The Chair is pleased to welcome the Junior and Freshmen Classes of Pleasant Valley Springfield High School, C. B. Gamble, Principal. They are the guests of Mr. Yeakel and Mr. Stockham of Bucks County.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is pleased to announce that a former Member is present in the House, the Honorable Kent Kane of McKean County.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 125, as follows:

An Act to amend subsection fourteen of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" permitting boards of school directors to grant temporary increases in salaries from time to time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection fourteen of section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1209.1

* * * * *

14 The foregoing schedules prescribe a minimum salary in each instance and where an increment is prescribed it is also a minimum. It is within the power of the boards of education boards of public school directors or county conventions of school directors as the case may be to increase for any person or group of persons included in this schedule the initial salary or the amount of an increment or the number of increments

Nothing contained in this act shall be construed to interfere with or discontinue any salary schedule now in force in any school district provided such schedule shall meet the requirements of this section nor to prevent the adoption of any salary schedule in conformity with the provisions of this act

In addition to the salaries herein provided for the boards of education boards of public school directors or county conventions of school directors as the case may be are hereby authorized to grant temporary or emergency increases in salaries to members of their teaching or supervisory staffs for any period and to discontinue such increases at the end of the period for which the same was granted any law to the contrary notwithstanding and any temporary or emergency increases heretofore granted and the discontinuance thereof at the end of the period for which granted are hereby ratified confirmed and made valid notwithstanding the fact that the same may have been done without previous authority of law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelsch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thamassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Hora,	O'Connor,	Tittle,
Clever-	Imbt,	O'Dare,	Tompkins,

Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fliss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 305, as follows:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the second day of January one thousand nine hundred and thirty-four (P. L. 1933-1934 page 207) is hereby reenacted and further amended to read as follows

Section 1 Be it enacted &c That this act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work by [any mine inspector] mine inspectors shall nevertheless [have the right to] at least one in each six months enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards of safety provided by regulations promulgated by the Secretary of Mines he shall order such unsafe conditions to be forthwith cor-

rected and in default of the owner or operator doing so shall order mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a mine in which from two to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution and be imprisoned for a period of thirty (30) days Upon conviction of a second or subsequent offense each day during which a person shall operate or be a party to the operation of a mine contrary to the order of the mine inspector shall constitute a separate offense

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Brelsich,	Gyger,	Mooney,	Sorg,
Brice,	Hall,	Moore, C. E.,	Sproul,
Brown,	Haller,	Moore, H. A.,	Stimmel,
Brunner,	Haudenshield,	Morrison,	Stockham,
Bucchin,	Helm,	Murray,	Stonier,
Cadwalader,	Henry,	Myers,	Stuart,
Capano,	Hewitt,	Naumann,	Swope,
Cassidy,	Hocker,	Needham,	Tahl,
Chervenak,	Hoffman,	Neff,	Thomassy,
Chudoff,	Hoopes,	Nelson,	Thompson,
Clevenger,	Horan,	O'Connor,	Tittle,
Cochran,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,
Cook,	Johnson,	O'Neill,	Turner,
Cooper,	Johnston,	Orban,	Upshur,
Cordier,	Jones,	Patten,	Vaughan,
Costa,	Jump,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kelley,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Krise,	Ragot,	Watkins,
Depuy,	Kurtz,	Readinger,	Watson,
Dix,	Kratz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,

Flack,
Fleming,
Foor,

Madden,
Madigan,
Mazza,

Rose
Rowen,
Royer,

Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—3

Bower,

Kemp,

Stank,

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 454, as follows:

An Act to amend the heading of Article III and to amend or further amend sections three hundred two three hundred three and three hundred five three hundred six three hundred seven three hundred eight three hundred nine three hundred ten three hundred eleven three hundred twelve three hundred thirteen three hundred fourteen three hundred fifteen three hundred eighteen three hundred nineteen and three hundred twenty-one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by establishing a new schedule of resident and nonresident licenses and fees fixing a termination date for the issuance of free resident licenses to military personnel changing the license period authorizing seizure of licenses of persons mentally or physically incapable of handling firearms safely and changing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The heading of Article III of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Hunting and Trapping Licenses

Section 2 Section three hundred two of said act as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 159) is hereby amended to read as follows

Section 302 Resident License [Fee] Fees Except as otherwise provided in the Game Law each such resident as [provided] designated in the preceding section upon application made in writing to any agent authorized to issue such licenses within the Commonwealth the presentation of proof that his is a citizen of the United States and a bonafide resident of this Commonwealth under the requirements of this article and the establishment of his identity to the satisfaction of the authority issuing the license or to the satisfaction of the justice of the peace magistrate or notary public or any agent designated to receive applications for licenses when taking such applications as hereinafter authorized by producing a bank book letters lodge cards police cards a motor vehicle driver's license or some other positive means of identification and in the case of naturalized foreign-born applicants the production of such applicant's naturalization papers unless any such person has been disqualified for a license in the manner hereinafter specified and the payment to said agent or the Department of Revenue of two dollars (\$2.00) shall be entitled to a resident hunter's license and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for wild birds and wild animals which may legally be hunted or trapped in this

Commonwealth [except as otherwise provided] until the close of the license year ending the thirtieth day of September one thousand nine hundred forty-seven Licenses valid for use thereafter by residents to hunt or trap shall be issued at a fee of two dollars and ten cents (\$2.10) which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth

For the duration of the present war but not beyond the thirtieth day of September one thousand nine hundred and fortyeight any person with the above qualifications who is in service with the Armed Forces of the United States or any of its Allies shall be issued such license upon application to any county treasurer within the Commonwealth without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

Section 3 Section three hundred of said act is hereby amended to read as follows

Section 303 Nonresident and Alien Nonresident License Fees [Every nonresident of this Commonwealth] Except as otherwise provided every nonresident of this Commonwealth who desires a license valid for use after the thirtieth day of September one thousand nine hundred forty-seven upon application made in writing to any agent authorized to issue such licenses or to the Department of Revenue and the presentation of proof that he is a citizen of the United States unless any such person has been disqualified for a license in the manner hereinafter specified [and upon payment to said agent or commission of fifteen dollars (\$15.00) shall be entitled to the license herein designated as a Nonresident Hunter's License and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except as otherwise provided] shall be entitled to any of the licenses below specified and the tag or tags bearing numbers corresponding therewith upon payment of the fees indicated to said agent or department

(a) Nonresident Small Game License which shall entitle the holder to hunt for all wild animals which may legally be hunted in this Commonwealth except those classed as big game but not to trap fifteen dollars (\$15.00)

(b) Nonresident Big Game License which shall entitle the holder to hunt only for animals classed as big game but including the right to hunt or kill birds and animals classed as predators through the use of a lawful firearm or a bow and arrow but not to trap twenty-five dollars (\$25.00)

(c) Nonresident Trapper's License which shall entitle the holder to take through the use of traps or deadfalls only wild birds and wild animals which may legally be trapped in this Commonwealth except beaver twenty-five dollars (\$25.00) Nothing in this clause shall be construed to prohibit the holder of a Nonresident Trapper's License from using a side-arm or a rifle not large than a .22 rimfire calibre to kill legally caught birds and animals

Every alien nonresident of this Commonwealth who is also a nonresident of the United States upon written application made to the Department of Revenue setting forth satisfactory evidence of his mental and physical fitness to carry and use firearms unless any such person has been disqualified for a license in the manner hereinafter specified and upon the payment to the Department of Revenue of the fees above designated for nonresidents shall be entitled to [a nonresident hunter's license] any or all of the nonresident licenses hereinbefore enumerated and the proper tag issued therewith but the Department of Revenue shall indicate on the face of the license that the holder is an alien nonresident

Section 4 Section three hundred five of said act is hereby amended to read as follows

Section 305 License Issuance Supervision The issuance of all hunting and trapping licenses shall be under the direct supervision of the Department of Revenue which shall designate the several county treasurers and such other issuing agents throughout the Commonwealth or otherwise as it may find essential to control the lawful issuance thereof. The Department of Revenue may recall the appointment of any county treasurer or other agent at any time with or without cause and shall recall the appointment of any county treasurer or other agent either upon receipt of evidence that such county treasurer or other agent has not complied with the requirements of this act or upon receipt of a recommendation from the commission that such county treasurer or other agent be recalled because of carelessness or negligence in the issuance of licenses.

It is unlawful for any issuing agent or any of his employees or representatives or the Department of Revenue or its employees to issue any licenses to hunt or trap to any applicant or for any justice of the peace magistrate notary public or other agent authorized to receive applications to accept an application for such license from any applicant who has not established satisfactory identification as hereinbefore required or to any person physically or mentally unfitted to carry or use firearms or who has been denied the right to secure a license in any manner hereinafter specified by revocation.

Section 5 Section three hundred six of said act is hereby amended to read as follows:

Section 306 The License Certificate Said licenses shall be issued on a form prepared and supplied by the Department of Revenue. Such licenses shall bear a description of the person applying for the same setting forth the occupation the color of the hair and eyes any marks or scars peculiar to the applicant and such other description as the Department of Revenue may require with the date of its issue. In the case of foreign-born applicants such license shall contain the nationality of the person and all dates and numbers of the naturalization papers.

All licenses legally issued shall authorize the person therein to hunt for and kill or trap wild animals or wild birds as specified on the license subject to the restrictions and requirements of existing laws and the regulations of the commission regarding close seasons additional hunting or trapping removal of protection or special deer seasons during the period for which the license is issued the date of which is inscribed thereon. Said certificate before being valid must be countersigned in ink by the licensee.

The license certificate issued with any [hunter's] license shall be carried on the person of the licensee at all times while hunting or trapping and shall be shown immediately upon demand by any officer whose duty it is to protect wild animals and birds or upon demand by any owner or lessee or by an employee or representative of such owner or lessee upon whose lands such person may be found. In addition to showing the license certificate upon demand by any such officer the holder thereof shall upon demand establish his further identity to the satisfaction of said officer by producing some other positive means of identification.

Section 6 Section three hundred seven of said act is hereby amended to read as follows:

Section 307 License Period All licenses shall be issued for the year beginning the first day of [September] October and ending the [thirtieth] first day of August] thirtieth day of September of the year following in all cases however application for such license may be made and a license issued prior to the date upon which such license is in force.

All licenses distributed for the year expiring the thirty-first day of August one thousand nine hundred forty-seven are hereby declared valid to the thirtieth day of September next following and all licenses in the process of being printed for the hunting season of one thousand nine hundred forty-seven shall be valid to the thirtieth day of September next following regardless of the expiration date that may be printed thereon if any

future year due to unavoidable conditions the distribution of licenses and tags is delayed the Secretary of Revenue and the Director acting jointly may extend the period during which licenses previously distributed or issued shall be valid.

Section 7 Section three hundred eight of said act is hereby amended to read as follows:

Section 308 License Tag The Department of Revenue shall also furnish free of charge and there shall be issued with each license a tag as hereinbefore specified. All license tags shall bear the license number in figures at least one inch in height which tag said licensee is required to attach and display on the outer garment on the back between the shoulders in such manner that all figures are plainly visible at all time while hunting or trapping [The license tag for the current year only shall be displayed]. Only the tag issued with the license then being used and for the current year only shall be displayed.

[The tag or button issued with complimentary non-resident licenses shall be of such size and form as the commission may determine which tag or button the licensee is required to wear in plain view on an outer garment at all times while using it in such a manner that the tag or button and the numerals thereon are plainly visible].

Section 8 Section three hundred nine of said act is hereby amended to read as follows:

Section 309 Persons Authorized to Take Applications for Licenses It is lawful for any justice of the peace magistrate or notary public who is not also an authorized agent of the Department of Revenue to issue licenses to take applications for such licenses in writing for which service the applicant shall pay not to exceed fifteen cents in addition to the license fee prescribed said amount to be retained by said official or agent as his fee for taking application and remitting payment therefor to [the] any issuing agency of the county in which said official is located or to the Department of Revenue. Such application and remittance shall be forwarded to the issuing agency or to the Department of Revenue within twenty-four hours with a certification thereon that the applicant has properly established his identity by producing a bank book letters lodge cards police cards a motor vehicle driver's license or by some other positive means of identification.

Section 9 Section three hundred ten of said act as last amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 39) is hereby amended to read as follows:

Section 310 Issuing Agents to Keep Record and Make Report Each issuing agency of this Commonwealth shall keep a correct and complete record of all resident and nonresident hunters' or trappers' licenses issued by him. Each issuing agent other than a county treasurer shall within five (5) days after the close of each month forward a monthly report to the Department of Revenue on blanks furnished to him a complete list of licenses granted during the previous month in correct numerical sequence with names and addresses of licensees and such other information and data as the Department of Revenue may require. A duplicate copy of said report shall be forwarded to the director and a triplicate copy of the report shall be retained in the office of the issuing agent which shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth as to any landowner or his representative to any representative of the Department of Revenue or to any representative of the Department of Auditor General.

Section 10 Section three hundred eleven of said act as last amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 39) is hereby amended to read as follows:

Section 311 Agents to Collect and Remit License Fees Reports Compensation The agents designated by the Department of Revenue for the collection of said license fees for their services rendered in collecting and paying over

the same shall as long as they continue to be agents of the Department of Revenue be allowed to retain not to exceed the sum of ten cent from the amount paid for each resident [hunter's] license and not to exceed twenty-five cents from the amount paid for each nonresident [hunter's] license which amount shall be full compensation for services rendered by them under the provisions of this act such compensation to be disposed of by the respective issuing agents as may now or hereafter be provided by law. Each issuing agent other than a county treasurer shall remit all balances arising from this source within five days after the end of each month to the State Treasurer through the Department of Revenue upon a form to be supplied by the Department of Revenue which monthly remittance shall be accompanied by a copy of the list of licenses issued during the previous month. All such moneys shall be placed in the Game Fund by the State Treasurer.

Every agent designated to issue [hunters'] licenses unless already under bond to cover the handling of public funds shall give bond to the Commonwealth in such sum as shall be fixed by the Secretary of Revenue but not less than one thousand dollars (\$1000) nor more than three thousand dollars (\$3000) for each place where licenses are issued before the annual supply of licenses is delivered to him. If an agent has more than one place where licenses are issued he may supply a blanket bond covering all places.

Any issuing agent who shall fail to comply with any of the provisions of this act relating to [hunter's] licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Commonwealth by suit in the same manner as like amounts are now by law recoverable.

Section 11 Section three hundred twelve of said act is hereby amended to read as follows:

Section 312 Replacement of Lost Licenses and Tags. Any holder of a [hunter's] license who shall lose either the license or the tag issued therewith or both the license and tag upon application to the Department of Revenue or other agent who issued the same accompanied by a sworn statement setting forth the pertinent facts relative thereto and the remaining portion if any of the original and the payment of one dollar shall be entitled to a new license and tag of the same kind and value as the original.

The issuing agent shall indicate on the face of the license so issued also on the stub or carbon copy thereof that it is a replacement with the number of the original license. The affidavit so filed and any remaining portion of the original license also shall be fastened to the stub or carbon copy of the replacement license for the information of the auditors.

For such services the Department of Revenue may authorize any issuing agent to retain not to exceed the sum of ten cents and remit the balance of the replacement license fee as hereinbefore provided.

Section 12 Section three hundred thirteen of said act is hereby amended to read as follows:

Section 313 Power to Administer Oaths. Each agent who may be authorized or designated by the Department of Revenue to issue [hunting] licenses and each agent who may be authorized or designated by the Department of Revenue to receive applications for such licenses in accordance with the provisions of this act is hereby empowered to administer any oath that may be required in connection with the issuance of such licenses or receiving applications therefor.

Section 13 Section three hundred fourteen of said act is hereby amended to read as follows:

Section 314 Seizure of Licenses and Tags. Any regular salaried officer of the Commission is hereby empowered except where birds or animals are killed by mistake and reported as hereinafter required seize [the hunting] any license and the tag issued therewith of any person apprehended in the act of violating any game law or any rules or regulations of the commission and who has

either been convicted or signed an acknowledgement of violating any game law or rules or regulations of the commission or if such licensee is found using firearms to hunt or trap while under the influence of intoxicating liquor or narcotics or is otherwise physically incapacitated to handle firearms safely.

All licenses so seized shall within twenty-four hours be forwarded to the division game supervisor for transmittal to the office of the commission with a report relative thereto. The director may upon application of the owner return the license and tag to the owner if he is satisfied that the license should not be recommended to the commission for revocation in the manner hereinafter stipulated.

Section 14 Section three hundred fifteen of said act is hereby amended to read as follows:

Section 315 Revocation of Licenses Right to Hunt or Trap Denied. (1) The commission may revoke any [hunter's] license and deny any person the right to secure license or to hunt or trap anywhere in this Commonwealth with or without a license if said licensee or person has either been convicted pleaded guilty entered a plea of nolo contendere or signed an acknowledgment of violating any provision of this act or if such person has been adjudged guilty in the manner hereinafter provided of any of the acts enumerated below for such periods as hereinafter specified:

(2) Whether or not legal proceedings have been taken for the arrest and conviction of the offender the director through a referee appointed by him shall have authority to hold a hearing and shall have the power to subpoena witnesses expert and otherwise to administer oaths and to require and receive sworn or affirmed written statements in any case where any person who according to information received while hunting or trapping is alleged

(a) To have been guilty of mutilating or carrying away notices posted by the Commonwealth.

(b) To have done damage to real or personal property of any kind.

(c) To have caused a forest fire.

(d) To have been found under the influence of intoxicating liquor or narcotic drugs while carrying or using firearms or a bow and arrow.

(e) To have committed an assault upon a landowner or lessee or employee of such landowner or lessee.

(f) To have injured a human being by gunfire or with a bow and arrow.

(g) To have inflicted an injury upon himself or otherwise been guilty of carelessness or negligence with firearms or with a bow and arrow.

(h) To have upon request failed or refused to render assistance where any person was injured in a hunting or trapping accident.

(i) To have caused such an accident and fled or failed to render assistance in a hunting or trapping accident.

(j) To have violated any other safety provision of this act not specifically above designated.

(k) To be mentally or physically incapable of handling firearms safely to hunt or trap.

The person so called be given written notice by registered mail addressed to his last known post office address or by personal service upon him stating the time and place of such hearing and shall have the right to appear and to testify or to present witnesses and evidence in his own behalf.

Any person who shall be subpoenaed before such referee and shall fail to appear before him without furnishing satisfactory reason for failure to do so or any person who shall appear and furnish false testimony shall likewise be subject to the penalties hereinafter provided.

In all such hearings the duly authorized referee shall submit to the commission through the director a certified stenographic transcript or a resume thereof together with the findings of facts and recommendations and upon such findings the commission is hereby authorized to revoke the license of the offender and to deny him the right to hunt or trap within this Commonwealth with or without a license for the periods hereinafter provided.

(3) Such license revocations shall be for the following periods

(a) For the first offense any person convicted or having signed an acknowledgment of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed two years. Any person convicted or having signed an acknowledgment of a second or subsequent offense of violating any of the provisions of this act may be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for a period of not less than two or more than three years. For the third offense of violating any of the provision of this act such person shall be denied the right to hunt or trap anywhere in this Commonwealth with or without a license for such period as the commission shall determine.

(b) For the first offense any person who shall have been convicted or adjudged guilty after a hearing as hereinbefore provided of any act enumerated in clause two of this section may be denied the right to secure a license or to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed [five] ten years. Any person convicted or having been adjudged guilty after a hearing as hereinbefore provided of a second or subsequent offense of any of the above-mentioned provisions [shall] may be denied the right to secure a license or to hunt or trap anywhere in this Commonwealth with or without a license for a period of not to exceed ten years and in addition thereto shall be subject to such other penalties as may be provided in this act.

(c) Any court of record having jurisdiction in any case coming before it involving any of the offenses contained in this section shall have authority to revoke [hunter's] license and to deny the right to secure a license or to hunt or trap anywhere in this Commonwealth with or without a license for the several periods herein indicated. Certified notice of such revocation shall be submitted to the commission within thirty (30) days following such order.

(4) Any person who shall be convicted or denied the right to secure a license or to hunt or trap in this Commonwealth with or without a license where personal injury has resulted shall furnish satisfactory proof to the Commission that all hospital [and], medical [bills] and funeral expense have been satisfactorily adjusted before such license shall be restored.

(5) To revoke a license then in force or to deny any person the right to secure a license or to hunt or trap anywhere in this Commonwealth for any period the commission shall send a written notice to that effect to such person at his last known address either by registered mail or have it delivered in person by a representative of the commission. The commission shall furnish in writing to the Department of Revenue and its license issuing agents the name address and the term for which such person has been denied the right to secure a license or to hunt or trap in this Commonwealth.

(6) Any person whose license has been revoked by the commission for any of the aforesaid offenses pursuant to a hearing before a referee of the commission shall have the right to file a petition within thirty (30) days after being notified of such revocation for a review of the matter in the court of common pleas of Dauphin County which court is hereby vested with jurisdiction and whose duty it shall be to set the matter down for hearing upon thirty (30) days' written notice to the director and to determine whether the petitioner is subject to revocation of license. The commission when such appeal is taken shall file with the prothonotary a certified record of the complete proceedings in the matter including a certified excerpt of the resolution of the commission. The matter shall be heard by a judge or judges of the court without a jury and the proceedings before the commission and its referee conducting the investigation shall be given similar weight force and effect as are accorded to the findings and reports of a referee selected or appointed under the provisions of the act approved the fourteenth day of May

one thousand eight hundred and seventy-four entitled "An act to provide for the submission of civil cases by agreement of the parties to a referee learned in the law" and its supplements.

Section 15 Section three hundred eighteen of said act is hereby amended to read as follows:

Section 318 Prima Facie Evidence of Hunting or Trapping For the purpose of this act the fact that any person shall be found in possession of a gun trap or other device of any description usable for the purpose of killing or taking wild birds or wild animals or in possession of the dead body of any wild bird or wild animal either in the field in the forests on the public highways or on the waters of this Commonwealth shall be considered "prima facie evidence" that such person is hunting or trapping and shall require him at all times to display [his] the proper license tag for the current year as provided in this article and to show immediately upon demand his resident or non-resident [hunter's] license and tag to any officer whose duty it is to protect the wild animals and birds or to show his license and tag immediately upon demand by any owner or lessee or by any employee or representative of such owner or lessee upon whose lands such person may be found.

In all cases of arrest for violation of any of the provisions of this section except where the dead body of any wild bird or wild animal is found in possession of the accused the affidavit of the person charged with such violation and satisfactory proof of his innocence shall rebut what is termed "prima facie evidence" in this section.

Section 16 Section three hundred nineteen of said act is hereby amended to read as follows:

Section 319 Deposit and Return of Penalties Any person displaying his license tag properly but unable to produce immediately upon demand his [hunter's] license may at once sign a proper acknowledgment and deposit with the officer accosting him the fine of stipulated in this article for hunting or trapping without a license for which such officer shall give an official receipt. Such fine shall as soon as possible be forwarded by the officer in question to the commission with a report covering the case. If the defendant desires a return of a fine so paid he shall file at the office of said commission at Harrisburg within twenty days an affidavit stating fully the reasons why he was unable to display said license immediately and give his description place of residence license number where same was secured and its date or attach the license itself whereupon said commission if satisfied that the purpose was not to violate the provisions of this article shall return such fine to the defendant otherwise it shall be deposited as hereinafter provided and the case considered closed.

Section 17 Section three hundred twenty-one of said act as repealed in part by the act approved the twenty-ninth day of March one thousand nine hundred forty-five (P. L. 98) is hereby amended to read as follows:

Section 321 Penalties Any nonresident of this Commonwealth who shall hunt chase trap shoot at wound or kill or attempt to hunt chase trap take shoot at wound kill or have in possession any wild birds or animals without a proper nonresident [hunting] license having been lawfully issued to him shall be sentenced to pay a fine of [fifty] one hundred dollars and costs of prosecution for each offense and each day shall be considered a separate offense.

Any person who shall fail to sign his license certificate as hereinbefore provided shall be sentenced to pay a fine of one dollar and costs of prosecution.

[Any licensee who shall fail to submit to the commission the report of game birds or animals or fur-bearing animals as required by this act shall be sentenced to pay a fine of two dollars and costs of prosecution.]

Any person who violates any of the provisions of this article except as above provided shall upon conviction be sentenced to pay a fine of twenty dollars and costs of prosecution for each offense. Provided That an additional fine of twenty dollars and costs of prosecution shall be imposed when any person is convicted of

(a) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or by this act and each day shall be considered a separate offense

(b) Securing a [hunter's] license either in his own or an assumed name during any period of time that he has been denied such privilege by the commission

(c) Hunting or trapping anywhere during any period of time that such right has been denied him by the commission or any court of record because of inflicting bodily injury upon himself or any other person while hunting or trapping shall upon conviction in addition to the penalties provided be sentenced to suffer imprisonment for a period of thirty (30) days

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and costs of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudensfield,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Buchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Titte,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Westcott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,

Fleming,
Foor,

Madigan,
Mazza,

Royer,
Sarraf,

Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 477, as follows:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 456) is hereby further amended to read as follows

Section 15 The county treasurer shall keep an accurate record of all license fees and fines collected by him or paid over to him by any justice of the peace alderman magistrate or notary public and of all money received from the sale of dogs Such record shall be a public record and open to persons interested during business hours [All] Ninety per centum of such moneys received by the county

treasurer shall be remitted to the State Treasurer through the Department of Revenue on the first Monday of each calendar month together with a report in duplicate of each payor on forms furnished by the Department of Revenue. One copy of each such report shall be transmitted by the Department of Revenue to the Department of Agriculture.

Section 2 Said act is hereby amended by adding thereto immediately after section fifteen a new section to read as follows:

Section 15.1 The ten per centum of the moneys received by the county treasurer which has been retained shall be placed by him in a separate fund. The court of common pleas of the county may direct the county treasurer to make payments from said fund to any incorporated society for the prevention of cruelty to animals actively engaged in carrying out its purposes in whole or in part within said county upon the petition of any such society setting forth that all moneys received by it from said fund shall be used for said purposes.

No society shall present a petition to receive money from said fund more often than once a year.

No money from said fund shall be paid to any society before it has filed its bond with approved surety for each sum as the court may fix conditioned upon the faithful application of said payments to the aforesaid purposes.

Any society receiving money from such fund during any year shall on or before March first of the succeeding year file an itemized account in the office of the prothonotary of said county to the same proceeding as its original petition for such money setting forth in detail its entire receipts and expenditures of such money during such preceding year. Any interested person may file exceptions to such account objecting to any of said expenditures which shall be heard by the court. If the court shall find any of said exceptions to be sound it may thereafter refuse to direct that payments be made to said society from the aforesaid fund.

The county treasurer on the first Monday of January of each year shall remit to the State Treasurer through the Department of Revenue together with a report in duplicate of the names and amounts of money received by any such society under this section all unexpended funds if any collected and paid into the county treasurer's special fund during the preceding year.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Buchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,

Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 478, as follows:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties"

is hereby amended by adding immediately after section fifteen a new section to read as follows

Section 15.1 In cities of the first and second class the court of common pleas of the county in which such city is located may direct the city treasurer to make payments to any incorporated society for the prevention of cruelty to animals actively engaged in carrying out its purposes in whole or in part within said city upon the petition of any such society setting forth that all moneys received by it under said order shall be used for said purposes

No society shall present a petition to receive money under this section more often than once a year No money shall be paid to any society before it has filed its bond with approved surety for such sum as the court may fix conditioned upon the faithful application of said payments to the aforesaid purposes

Any society receiving money under this section during any year shall on or before March first of the succeeding year file an itemized account in the office of the prothonotary to the same proceeding as its original petition for such money setting forth in detail its entire receipts and expenditures in said city during such preceding year Any interested person may file exceptions to such account objecting to any of said expenditures which shall be heard by the court If the court shall find any of said exceptions to be sound it may thereafter refuse to direct that payments be made to said society

The court shall have power and authority to order only such payments from such city treasury which in the aggregate do not exceed ten per centum (10%) of the total sum of money collected from license fees by such cities under the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McCullough,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintese,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudensh. A.,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Toompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Wells,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Eisenberg,	Layer,	Reilly, J. M.,	West,

Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Woor,

Lee,
Leisey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,

Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 522, as follows:

An Act to amend section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by allowing the merger and consolidation of domestic and foreign non-profit corporations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 801 Merger or Consolidation Authorized A [Two] Any two or more domestic nonprofit corporations formed for kindred purposes [may upon application to the court in the manner hereinafter provided] or any one or more domestic nonprofit corporations and any one or more foreign nonprofit corporations may in the manner herein-

after provided in this article either be merged into one of such domestic nonprofit corporations hereinafter designated as the surviving corporation or be consolidated into a new nonprofit corporation provided such foreign nonprofit corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation. Such application shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located.

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCosker,	Scanlon,
Andrews,	Gallagher,	McCullough,	Schuster,
Bane,	Getchey,	McDonald,	Scott,
Barrett,	Gibson,	McKinney,	Serrill,
Baumunk,	Goff,	McMillen,	Shoemaker,
Beech,	Goodling,	Mihm,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boles,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenschild,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchn,	Henry,	Naumann,	Swope,
Cadwalader,	Hewitt,	Needham,	Tahl,
Capano,	Hocker,	Neff,	Thomassy,
Cassidy,	Hoffman,	Nelson,	Thompson,
Chervenak,	Hoopes,	O'Connor,	Tittle,
Chudoff,	Horan,	O'Dare,	Tompkins,
Clevenger,	Imbt,	O'Donnell,	Toomey,
Cochran,	Jennings,	O'Neill,	Turner,
Cole,	Johnson,	Orban,	Upshur,
Cook,	Johnston,	Patten,	Vaughan,
Cooper,	Jones,	Petrosky,	Verona,
Cordier,	Jump,	Pichney,	Wachhaus,
Costa,	Kean,	Pickens,	Wagner,
Crowley,	Kelley,	Polaski,	Waldron,
Dague,	Kemp,	Powers,	Wallin,
Dalrymple,	Kent,	Price,	Walton,
Davison,	Kirley,	Propert,	Waterhouse,
De Long,	Kline,	Ragot,	Watkins,
Demech,	Kohl,	Readinger,	Watson,
Dennison,	Kratz,	Reagan,	Weidner,
Depuy,	Krise,	Reese, D. P.,	Weiss,
Dix,	Laughner,	Reese, R. E.,	Wescott,
Dye,	Layer,	Reilly, J. M.,	West,
Efenberg,	Lee,	Reilly, W. J.,	Wheeler,
Elder,	Leisey,	Richter,	Wolf,
Erb,	Livingston,	Riley,	Wood,
Evans,	Livingstone,	Robbins,	Worley,
Ewing,	Loftus,	Robertson,	Yeakel,
Feola,	Lovett,	Root,	Yester,
Fish,	Lyons,	Rose,	Yetzer,
Fliss,	Madden,	Rowen,	Young,
Flack,	Madigan,	Royer,	Lichtenwalter,
Fleming,	Mazza,	Sarra,	Speaker.
For,	McCormack,	Sax,	

NAYS—1

NOT VOTING—2

Kurtz,
Najaka, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 577, as follows:

An Act making a deficiency appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-five thousand dollars (\$175,000) is hereby appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the balance of the two fiscal years ending May thirty-first one thousand nine hundred and forty-seven and for the succeeding fiscal biennium until the thirtieth day of June one thousand nine hundred and forty-seven.

Section 2 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchn,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fliss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Snyder, Mr. Fiss, for presiding.

SCHOOLS OF SULLIVAN COUNTY WELCOMED

The SPEAKER. The Chair is very pleased to have as guests in the hall of the House the Senior Class of St. Basil's High School of Dushore, Pennsylvania, accompanied by Father Peter.

Also the Dushore High School accompanied by Miss Holcomb, and the Sonestown High School accompanied by Donald Worthington. They are the guests of Mr. Baumunk of Sullivan County.

TEMPLE UNIVERSITY HIGH SCHOOL WELCOMED

The SPEAKER. The Chair also welcomes Temple University High School under the direction of Professor Pickron, who are the guests of the Philadelphia delegation.

The Chair is very pleased to have these groups visit the Legislative Halls in Harrisburg and see the lawmakers at work.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 800, Printer's No. 553, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 948, as follows:

An Act making an appropriation to the Local Government Commission to continue its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" for the two fiscal years beginning June first one thousand nine hundred forty-seven to continue the work of said commission for a special study with the cooperation of local communities and other agencies of the proper and essential functions of local government and of the desirability of reducing the number of political subdivisions below the county by consolidation or otherwise in order to increase efficiency reduce governmental costs and strengthen the system of local government and to make report to the General Assembly including plans to effectuate the recommendations of the commission and for the payment of the expenses of the members of said commission for the compensation and expenses of the secretary

counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getthey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Tintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Myer,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Tomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, J. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 432 and

House Bill No. 1040, Printer's No. 397

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1111, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing of operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further defining "Dealers" and "Owner" changing certain fees further regulating the registration titling equipment license plates and size of certain vehicles and the licensing of operators prescribing additional enforcement and penal provisions The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definitions "Dealer" and "Owner" of section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which section was last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 290) are hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Dealer" (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted principally to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailers or semi-trailers or with a jobber of such vehicles who as such

jobbed holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building or a portion of a building owned or rented by such person where his books and records are kept and which is devoted principally to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles or (5) any person who maintains an established place of business and who is engaged in the business of buying selling or exchanging second hand motor vehicles for the purpose of remodeling taking apart or rebuilding the same or buying or selling of parts of second hand motor vehicles or the assembling of second hand motor vehicles parts or (6) any person engaged in the repair service or towing of motor vehicles [Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business and a person entitled to dealer registration under clause (5) or (6) may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes]

* * * * *

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of a chattel mortgage or an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the mortgagor conditional vendee or lessee then such mortgagor conditional vendee or lessee shall be deemed the owner for the purpose of this act

Section 2 Section two hundred two of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 202 Application for Certificate of Title (a) Application for a certificate of title shall be made upon a form prescribed and furnished by the department and shall be accompanied by the fee prescribed in this act and shall contain a full description of the motor vehicle trailer or semi-trailer the actual or bona fide address and name of the owner together with a statement of the applicant's title and of any liens or encumbrances upon said motor vehicle trailer or semi-trailer and whether possession is held subject to a chattel mortgage or under a lease contract of conditional sale or other like agreement The application shall be signed and verified by oath or affirmation by the applicant if a natural person in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by said corporation to sign the application to which shall be attached written evidence of his authority The secretary shall use reasonable diligence in ascertaining whether

or not the facts stated in said application are true and if satisfied that the applicant is the lawful owner of such motor vehicle trailer or semi-trailer or is otherwise entitled to have the same titled in his name the department shall issue a certificate of title bearing the signature or facsimile signature of the secretary or such officer of the department as he shall designate and sealed with the seal of the department

(b) If a motor vehicle trailer or semi-trailer is used as collateral for a loan after certificate of title has been issued application for recording the lien on certificate of title may be made on the application for duplicate certificate of title as prescribed by the Secretary of Revenue

Section 3 Subsection (b) of section two hundred three and section two hundred five of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 203 Contents Delivery Effect and Life of Certificate of Title

* * * * *

(b) Where there are no liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title shall be delivered to the owner but otherwise the certificate of title shall be delivered to the person holding the first lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such first lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer. The certificate of title when issued by the secretary showing a lien or encumbrance shall be adequate notice to the Commonwealth creditors subsequent mortgagees lienors encumbrancers and purchasers that a lien against the motor vehicle trailer or semi-trailer exists and failure to transfer possession of the vehicle trailer or semi-trailer shall not invalidate said lien or encumbrance. Upon the final payment being made of any lien or encumbrance the certificate of title shall be delivered immediately to the owner of said vehicle trailer or semi-trailer with proper evidence of satisfaction of same providing there are no subsequent liens or encumbrances. If there are any subsequent liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title upon final payment made of any lien or encumbrance shall be returned to the department by the person whose lien or encumbrance has been discharged by such payment within forty-eight (48) hours of such payment. A corrected certificate of title together with a statement of the remaining liens or encumbrances on record shall be delivered to the person holding the next lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer. A corrected certificate of title without statement of liens or encumbrances shall be issued by the department upon request of the owner when original certificate of title is returned with proper evidence that all said liens or encumbrances have been satisfied or when the original certificate of title cannot be returned and proper evidence is produced that all said liens or encumbrances have been satisfied or when the lien or encumbrance upon the motor vehicle trailer or semi-trailer has not been renewed within the three years immediately preceding the issuance of such corrected certificate of title providing that the computation of three years shall not include time before June first one thousand nine hundred thirty-seven

* * * * *

Section 205 Correction of Certificate of Title When it is shown by proper evidence upon investigation and good cause appearing therefor for that any certificate of title has been issued in error or containing incorrect information due to any cause or to a person not entitled thereto the secretary shall require the person to whom such certificate has been issued to return [of] such certificate of title together with any other information neces-

sary for the adjustment of the department records and the secretary shall thereupon cancel such certificate and issue a corrected certificate of title without fee

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a justice of the peace (\$25) and costs of prosecution and in default thereof magistrate be sentenced to pay a fine of twenty-five dollars shall undergo imprisonment for not more than (10) days

Section 4 Section two hundred six of said act is hereby amended to read as follows

Section 206 Duplicate Certificate of Title In the event of a lost destroyed or illegible certificate of title or for the purpose of recording a lien against any motor vehicle trailer or semi-trailer which lien arises after the certificate of title has been issued application may be made to the department or a duplicate upon a form furnished by the department which shall be signed by the owner and sworn to before a notary public or other officer empowered to administer oaths and accompanied by the fee provided in this act. Thereupon the department shall issue a duplicate certificate of title to the owner or person entitled to receive same under the provisions of this act

Section 5 Section two hundred eight of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 208 Change of Ownership by Operation of Law and Judicial Sale In the case of the transfer of ownership or possession of a motor vehicle trailer or semi-trailer by operation of law as upon inheritance devise or bequest order in bankruptcy insolvency replevin or execution sale or whenever a motor vehicle trailer or semi-trailer is sold at public sale to satisfy storage or repair charges or repossession is had upon default in performance of the terms of a chattel mortgage a lease contract of conditional sale or other like agreement made upon or in connection with any encumbrance or lien recorded and continuing of record in the department it shall thereupon become the duty of the person from whose possession such motor vehicle trailer or semi-trailer was taken if there are no liens encumbrances or legal claims thereon and without prejudice to his rights in the premises immediately to surrender the certificate of title for such motor vehicle trailer or semi-trailer to the person to whom possession of such motor vehicle trailer or semi-trailer has so passed. The secretary upon surrender of prior certificate of title or when that is not possible or when the certificate of title for such motor vehicle trailer or semi-trailer is held by a person holding a first lien encumbrance or legal claim thereon upon presentation of satisfactory proof to the secretary of ownership and right of possession to such motor vehicle trailer or semi-trailer and upon payment of the fee prescribed in this act and presentation of application for certificate of title may issue to the applicant to whom possession of such motor vehicle trailer or semi-trailer has so passed a certificate of title thereto but where a first lien encumbrance or legal claim upon such motor vehicle trailer or semi-trailer is held by another the secretary shall deliver the said certificate of title containing thereon a statement of the liens encumbrances or legal claims upon such motor vehicle trailer or semi-trailer to the person holding such first lien encumbrance or legal claim which shall be retained by such person until the entire amount of such first lien encumbrance or legal claim is fully paid by the owner of said motor vehicle trailer or semi-trailer when the said certificate of title shall be delivered to said owner by the person who held the first lien encumbrance or legal claim with proper evidence of satisfaction of same. A corrected certificate of title without statement of liens encumbrances or legal claims shall be issued by the secretary upon request of the owner when the original certificate of title is returned with proper evidence that all said liens encumbrances or legal claims have been satisfied or when the original certificate of title cannot be returned and

proper evidence is produced that all said liens encumbrances or legal claims have been satisfied or when the lien or encumbrance upon the motor vehicle trailer or semi-trailer has not been renewed within three (3) years immediately preceding the issuance of such corrected certificate of title. The certificate of title when issued by the secretary showing a lien or encumbrance shall be adequate notice to the Commonwealth creditors subsequent mortgagees lienors encumbrancers and purchasers that a lien against the motor vehicle trailer or semi-trailer exists and failure to transfer possession of the vehicle trailer or semi-trailer shall not invalidate said lien or encumbrance. Provided That the secretary shall not incur any personal liability in carrying out the provisions of this section or in furnishing any information from the records of the department with respect to the existence or nonexistence of any lien or encumbrance on any motor vehicle trailer or semi-trailer.

Penalty. Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days.

Section 6. Clause four of subsection (a) of section four hundred twelve of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 751) is hereby further amended to read as follows:

Section 412. Registration Suspended.

(a) The secretary may suspend any registration with or without a hearing before the secretary or his representative in any of the following cases:

* * * * *

4. Upon certification or request or order of any court or the Public [Service] Utility Commission duly authorized under the laws of this Commonwealth and empowered by such laws to make such certifications requests or orders.

Section 7. Section four hundred thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows:

Section 413. Expiration of Registration. All [registrations for the year one thousand nine hundred thirty-nine shall expire March thirty-first one thousand nine hundred forty. Commencing with the year one thousand nine hundred forty and thereafter] registrations shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following. Registrations shall also expire when suspended for cause by the secretary and immediately upon the transfer of ownership or the destruction of the vehicle. Registrations for the succeeding year may at the option of their holders be used on and after March fifteenth of the current year.

Section 8. Section five hundred two of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows:

Section 502. Use of Manufacturer's Jobber's and Dealer's Registration Plates Limited. Registration plate or plates issued in the "Dealer's Class" may be used on any motor vehicle trailer or semitrailer owned or in the possession of a manufacturer jobber or dealer and operated by such manufacturer jobber or dealer or the employee of such manufacturer jobber or dealer when such motor vehicle trailer or semi-trailer is used (a) in the motor vehicle business of such manufacturer jobber or dealer (b) for the personal pleasure of such manufacturer jobber or dealer or the members of his family when operated by such manufacturer jobber or dealer or an immediate member of his family or when such manufacturer jobber or dealer is a corporation for the personal pleasure of not more than three officers thereof who are actively engaged in its business or the members of their families or for the personal pleasure of the regular employees of

such manufacturer jobber dealer, or corporation when operated by such employee (c) for teaching a new operator how to operate a motor vehicle if such new operator has procured a learner's permit and for such new operator to take an examination for an operator's license or (d) for testing motor vehicles trailers or semitrailers in the possession of such manufacturer jobber or dealer or (e) for demonstrating motor vehicles trailers or semitrailers in the possession of such manufacturer jobber or dealer and such vehicles may be operated by a prospective purchaser when licensed as an operator or permittee and when accompanied by the manufacturer jobber or dealer or an employee of such manufacturer jobber or dealer. Provided That a person entitled to dealer registration under clause (3) of the definition of "dealer" in section one hundred two of this act may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semitrailers on their own wheels and a person entitled to dealer registration under clause (4) of said definition may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business and a person entitled to dealer registration under clause (5) or (6) of said definition may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes. Provided further That in no event shall manufacturers jobbers or dealers registration plates be used for any purpose other than as limited in this section.

Penalty. Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 9. Section five hundred ten of said act as last amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows:

Section 510. The Expiration of Registration Plates. (a) All registration plates [for the year one thousand nine hundred thirty-nine shall expire March thirty-first one thousand nine hundred forty. Commencing with the year one thousand nine hundred forty and thereafter registration plates] shall be issued for a registration year commencing on April first of one year and expiring March thirty-first of the year following. Registration plates shall also expire when suspended for cause by the secretary. Registration plates for the succeeding year may at the option of the owner be used on and after March fifteenth of the current year.

(b) No motor vehicle trailer or semi-trailer shall be operated with registration plates which have expired nor without registration plates on the claim by the owner or operator that registration plates for the current year have been applied for but not received.

Penalty. Any person violating any of the provisions of subsection (b) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days.

Section 10. Subsection (c) (d) and (h) of section five hundred eleven of said act which section was added thereto by the act approved the twentysixth day of April one thousand nine hundred forty-three (P. L. 74) are hereby amended to read as follows:

Section 511. Temporary Registration Plates or Markers.

* * * * *

(c) Every [person] dealer who issues temporary registration plates or markers shall on the day that he issues such plates or markers send to the department a copy of the temporary registration plate or marker lap-

plication] certificate properly executed by such dealer and the owner together with the application for certificate of title and the annual registration plates

(d) A [person] dealer shall not issue assign transfer or deliver temporary registration plates or markers to any one other than the bona fide purchaser [or owner] of the vehicle to be registered nor shall a [person] dealer issue temporary registration plates or markers [unless previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration plate or marker application the owner has sent or sends a bona fide application for annual registration or shall a person] for a motor vehicle not owned and sold by the dealer. A dealer shall not issue temporary registration plates or markers to any one possessed of annual registration plates for a vehicle that has been sold or exchanged [nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates or markers to any person nor make application for or receive any temporary registration plates or markers for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates or markers] nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates or markers. It shall be unlawful for any person to issue any temporary registration plate or marker or plates or markers containing any mis-statement of fact or knowingly to insert any false information upon the face thereof. Any person who has been convicted of three or more violations of the provisions of this section shall not make application for or issue any temporary registration plates or markers

* * * * *

(h) Every [person] purchaser who makes application for temporary registration plates or markers shall execute and send an application for annual registration plates to the department [previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in] accompanied by a copy of the temporary registration certificate prepared by the dealer. In no event shall such application for annual registration plates made later than the day on which the temporary registration plates or markers are issued to such owner

Section 11 Section six hundred thirteen of said act as amended by the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1102) is hereby further amended to read as follows

Section 613 Expiration of Licenses All operator's licenses [issued for the year one thousand nine hundred thirty-nine shall expire on the last day of January one thousand nine hundred forty Commencing with the year one thousand nine hundred forty and thereafter operator's licenses] shall be issued for a license year commencing on February first of one year and expiring January thirty-first of the year following. Operator's licenses shall also expire when revoked or suspended for cause by the secretary. Operator's licenses for the succeeding year may at the option of their owners be used on and after January fifteenth of the current year

Section 12 Subsection (a) of section six hundred forty-two-ninth day of June one thousand nine hundred teen of said act as last amended by the act approved the thirty-seven (P. L. 2329) is hereby repealed

Section 13 Section seven hundred fifteen of said act is hereby amended to read as follows

Section 715 Transferring Registration The fee for transfer of registration shall be two (\$2) dollars when motor vehicle trailer or semi-trailer is of equal [or less horsepower or] classification than that originally registered or upon payment of a fee of two (\$2) dollars and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer be properly registered in a higher classification

Section 14 Section seven hundred sixteen and subsec-

tions (e) and (f) of section eight hundred one of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) are hereby further amended to read as follows

Section 716 Certificates of Title Duplicate Certificates of Title The fee for each certificate of title shall be two (\$2) dollars except in the case where the certificate of title is issued in the name of the manufacturer jobber or dealer and the dealer manufacturer or jobber is possessed of current manufacturers' dealers' or jobbers' registration plates in which case the fee shall be fifty (\$.50) cents. The fee for a duplicate certificate of tile shall be one (\$1) dollar except when issued for the purpose of recording a lien in which cases the fee shall be two dollars

Section 801 Required Lighting Equipment

* * * * *

(e) Reflectors Every motor bus motor omnibus commercial motor vehicle trailer or semi-trailer when operated on a highway shall display at the rear a red reflector meeting the following requirements

Whenever a red reflector is so used or whenever reflectors are used as hereinafter provided it or they shall be mounted upon the vehicle at a height not to exceed forty-two (42) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands and every such reflector shall be of a type which at the time of its use is approved by the secretary and shall be so designed and maintained as to be visible at night from a distance within five hundred (500) feet to fifty (50) feet from such vehicle when directly in front of or [opposed] opposite to a motor vehicle displaying lawfully lighted head lamps as provided in this act

(f) Commercial Motor Vehicles Trailers Semi-Trailers Buses and Omnibuses Every commercial motor vehicle trailer or semi-trailer or every motor omnibus or motor bus except motor buses or motor omnibuses operated entirely within municipalities when their interiors are illuminated shall display lighted lamps at the times mentioned in subsection (a) when and as required in this section except that such lamps may be but are not required to be lighted when any such vehicle is upon a highway which is sufficiently illuminated by street lamps to render any person or vehicle visible at a distance of five hundred (500) feet

1 Electric Clearance Lamps Every such vehicle having a width at any part in excess of eighty (80) inches shall be equipped with two (2) electric clearance lamps located on the extreme left side of such vehicle. One located at the front and displaying an amber light visible from a distance of five hundred (500) feet to the front of the vehicle and the other located at the rear of the vehicle and displaying a red light visible from a distance of five hundred (500) feet to the rear of the vehicle and said red electric clearance lamp shall be in addition to the read lamp hereinbefore required. Provided however That vehicles equipped with acetylene headlamps may in lieu of such electric clearance lights be equipped with and amber reflector in front and a read reflector in the rear which shall be so designed and maintained to meet the requirements as to reflectors provided in this section

2 Electric Identification Lamps Front and Rear Every motor vehicle trailer or semi-trailer or combination of such vehicles having a length in excess of thirty (30) feet or a width in excess of eighty (80) inches except those which shall be equipped to conform to the regulations of the Interstate Commerce Commission shall be equipped with electric lamps on the front displaying three (3) amber lights and electric lamps on the rear displaying three (3) red lights and the lights in each such group shall be evenly spaced not less than six nor more than twelve (12) inches apart along a horizontal line near the top of the vehicle and said lights shall be visible from distances of five hundred (500) feet to the front. That vehicles equipped with acetylene headlamps may in and rear respectively of the vehicle. Provided however

lieu of such electric identification lamps be equipped with read and amber reflectors

3 Electric Side Marker Lamps Every such vehicle or combination of such vehicles which exceeds twenty (20) feet in overall length shall be equipped with at least four (4) electric side marker lamps One (1) on each side near the front and one (1) on each side near the rear Said electric lamps near the front shall display amber lights and said electric lamps near the rear shall display read lights each visible from a distance of five hundred (500) feet to the side of the vehicle on which it is located If the electric clearance lamps on the left side of a vehicle as hereinbefore required display lights visible from a distance of five hundred (500) feet at right angles to the left of the vehicle they shall be deemed to meet the requirements as to left marker lamps in this paragraph In lieu of such electric side marker lamps any such vehicle may be equipped with four (4) reflectors two (2) on each side and otherwise meeting the requirements of this act

Section 15 Section eight hundred nine of said act as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 310) is hereby further amended to read as follows

Section 809 Red Light Visible From in Front of Vehicles No person shall operate or move any vehicle except fire department fire patrol apparatus or the private vehicles of those chiefs of fire departments assistant chiefs of fire departments or fire marshals who in accordance with a stateemnt filed with the Pennsylvania State Police prior thereto use the same for answering fire or emergency calls upon a highway with a red light displayed [on] to the front thereof

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 16 The penalty clause of section eight hundred thirteen of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 813 Official Inspection Stations

* * * * *

Penalty Any owner who operates such inspection station or any manager or operator thereof or any employee thereof or any other person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25.00) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 17 Subsection (a) of section eight hundred twenty-eight of said act as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-two (1942 P. L. 14) is hereby further amended to read as follows

Section 828 School Buses Safety Requirements (a) "School Bus" for the purpose of this section is any vehicle registered as a commercial vehicle motor bus or motor omnibus or any vehicle having a lineal seating space including the space for the operator of more than one hundred (100) inches and [owned by or] used [under contract with any school or school district] for the transportation of school children Provided That said school bus shall not include motor buses operated by common carrier holding a certificate of the Public Utility Commission who also operate such motor buses over routes approved by such commission And provided further That such buses comply with the safety regulations of that commission and the State Council of Education of Pennsylvania

Section 18 Subsection (c) of section nine hundred two

and section one thousand two hundred one of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby further amended to read as follows

Section 902 Size of Vehicles and Loads

* * * * *

(c) No vehicle except motor buses and fire department equipment shall exceed a total maximum length including any load thereon of [three hundred ninety-six (396)] four hundred twenty (420) inches and no combination of two (2) vehicles inclusive of load and bumpers soupled together shall exceed a total maximum length of six hundred (600) inches excepting that until but not after January first one thousand nine hundred forty-one any combination of two vehicles properly registered in this Commonwealth on the effective date of this act may be of a total maximum length not exceeding seventy (70) feet excepting further than nothing in this subsection shall prohibit the transportation by a combination of vehicles of articles impossible of dismemberment which do not exceed seventy (70) feet Motor buses shall not exceed a length of four hundred twenty (420) inches

1 No motor vehicle shall be operated upon a highway drawing or having attached thereto more than one other vehicle

2 The distance between any two vehicles one of which is towing or drawing the other shall not exceed fifteen (15) feet from one vehicle to the other except when the load on the towed vehicle is coupled directly to and is not more than five (5) feet from the towing vehicle Whenever the connection consists of a chain rope bar or cable there shall be displayed upon such connection a flag not less than twelve (12) inches in length and width Every trailer while being drawn upon the highway shall be so attached to the vehicle drawing the same as to prevent the wheels of such trailer from deflecting more than (6) inches from the path of the drawing vehicle's wheels

Section 1201 Limitations of Actions

(a) Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate within the city borough incorporated town or township where the alleged violation occurred Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no person holding the office of magistrate in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate in any adjoining city borough town or township within fifteen (15) days after the commission of the alleged offense and not thereafter except that where an information is filed against a person prima facie guilty of a summary offense and it subsequently appears that a person other than the person named in the information was the offender an information may be filed against such other person within fifteen (15) days after his or her identity shall have been discovered and excepting further that information charging violations of the provisions of sections 207 210 212 406.1 511 610.1 [and] 620 (j) and 813 of this act may be brought within fifteen (15) days after it is discovered that a violation of any of these sections has been committed

(b) Where the offense committed is designated a felony or misdemeanor information may be filed as now provided by law

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCormack,	Sax,
Andrews,	Getchey,	McCosker,	Scanlon,
Bane,	Gibson,	McCullough,	Schuster,
Barrett,	Goff,	McDonald,	Scott,
Baumunk,	Goodling,	McKinney,	Serrill,
Beech,	Gorman,	McMillen,	Shoemaker,
Bender,	Graybill,	Mihm,	Simons,
Bentzel,	Greenwood,	Mikula,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bloom,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Bucchin,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Clevenger,	Jennings,	O'Donnell,	Tompkins,
Cochran,	Johnson,	O'Neill,	Toomey,
Cole,	Johnston,	Orban,	Turner,
Cook,	Jones,	Patten,	Upshur,
Cooper,	Jump,	Petrosky,	Vaughan,
Cordier,	Kean,	Pichney,	Verona,
Cpsta,	Kelley,	Pickens,	Wachhaus,
Crowley,	Kemp,	Polaski,	Wagner,
Dague,	Kent,	Powers,	Waldron,
Dairymple,	Kirley,	Price,	Wallin,
Davidson,	Kline,	Propert,	Walton,
De Long,	Kohl,	Ragot,	Waterhouse,
Demech,	Kratz,	Readinger,	Watkins,
Dennison,	Krise,	Reagan,	Watson,
Depuy,	Kurtz,	Reese, D. P.,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Weiss,
Dye,	Lager,	Reilly, J. M.,	West,
Efenberg,	Lee,	Reilly, W. J.,	Wescott,
Elder,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Foor,	Madigan,	Royer,	Young,
Frost,	Mazza,	Sarraf,	Lichtenwalter,
			Speaker.

NAYS—3

Erb,	Fleming,	Miller,
------	----------	---------

NOT VOTING—2

Najaka,	Trout,
---------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1118, as follows:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

On the question,

Will the House agree to the bill on third reading?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1, (Sec. 348), page 5, line 4, by striking out the word "council" and inserting in lieu thereof "the commissioners".

Amend Sec. 1, (Sec. 348), page 5, line 8, by striking out the word "council" and inserting in lieu thereof "the commissioners".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1159, as follows:

An Act to further amend sections one hundred two and seven hundred sixteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the definition of "dealer" and adding the definition of "fleet owner" and further providing for fees for certificates of title

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The definition of "dealer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing

that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 290) is hereby further amended and a definition of "fleet owner" is hereby added to said section to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Dealer" (1) A person actively and principally engaged business of buying selling or exchanging new motor vehicle and devoting a substantial portion of his time to the hicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted principally to the motor vehicle[s] business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailers or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building or a portion of a building owned or rented by such person where his books and records are kept and which is devoted principally to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles or (5) any person who maintains an established place of business and who is engaged in the business of buying selling or exchanging second hand motor vehicles for the purpose of remodeling taking apart or rebuilding the same or buying or selling of parts of second hand motor vehicles or the assembling of second hand motor vehicle parts or (6) any person engaged in the repair service or towing of motor vehicles or (7) a fleet owner who is engaged in his own repair service Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business and a person entitled to dealer registration under clause (5) or (6) may only use dealer's registration plates in direct connection with his repair business for demonstration service or towing purposes or a person entitled to dealer registration under clause (7) may only use dealer's registration plates in direct connection with his own repair business for repairing servicing or delivering his own vehicles

* * * * *

"Fleet Owner" Any person who owns a group of fifteen (15) or more motor vehicles

Section 2 Section seven hundred sixteen of said act

as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 716 Certificates of Title Duplicate Certificates of Title The fee for each certificate of title shall be two (\$2) dollars except in the case where the certificate of title is issued in the name of the manufacturer jobber or dealer and the dealer manufacturer or jobber is possessed in current manufacturers' dealers' or jobbers' registration plates in which case the fee shall be fifty (.50) cents Provided That the fee for each certificate of title for a fleet owner shall be two (\$2) dollars The fee for a duplicate certificate of title shall be one (\$1) dollar

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Buchlin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hoeker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1214, Printer's No. 530, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 87, as follows:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain State employees who during the war were loaned to the United States Government and who have now returned to State employment to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions The following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

1 "The act to which this is a supplement" shall mean the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties"

2 "State employee who was loaned to the United States Government" shall mean any person who was a "State employee" as defined in the act to which this is a supplement and who was an employee of the Commonwealth of Pennsylvania paid on a yearly or monthly basis and was loaned to the United States Government on or after January first one thousand nine hundred forty-two pursuant to the telegram from the President of the United States dated the nineteenth day of December one thousand nine hundred forty-one to the Governor of the Commonwealth requesting the loan of certain employees to the United States Government and who has now been returned to State employment in accordance with Public Law five hundred forty-nine of the seventy-ninth Congress of the United States

3 "Salary deductions" shall mean the amount certified by the State Employees' Retirement Board and deducted from the salary of a contributor to the State Employees' Retirement Fund and paid by the State Treasurer into the fund created by the act to which this is a supplement through the Department of Revenue under the provisions of section seven of said act

4 "Board" shall mean the State Employees' Retirement Board created by the act to which this is a supplement

Section 2 Any State employee who was loaned to the United States Government as hereinbefore defined and who has returned to State employment may elect to pay into the State Employees' Retirement Fund a sum equal to what would have been his total salary deductions together with interest during the said period of loan to the United States Government calculated on the basis of his salary on the date of such loan Such election shall be in writing on the form prescribed by the board and it shall be filed with the board within sixty (60) days after the effective date of this act The amount of said back payments and interest may be paid and credited to the annuity savings account either in a lump sum or by future increased deductions from his salary in such amounts as may be agreed upon by the State employee and the board but in no event shall such increased payroll deductions be in amounts less than sufficient to pay such total back payments and interest by the time the member reaches superannuation retirement age

Section 3 Moneys required to build up the reserve necessary for the payment of State annuities of such employees loaned to the Federal Government who take advantage of this act shall be payable from the Administrative Fund created under section six hundred two of the Unemployment Compensation Law approved the fifth day of December one thousand nine hundred thirty-six (P. L. 2897 1937)

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Spro
Brelsch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	Wes.,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,

Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalfer,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendmens in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 114, as follows:

An Act to amend section six of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (App Act page 40) entitled "An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties" extending provisions thereof until next regular session of the General Assembly

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (App Act page 40) entitled "An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties" is hereby amended to read as follows

Section 6 The said commission shall make a full and complete report of its findings and recommendations to the next regular session of the General Assembly not later than the first day of March one thousand nine hundred [forty-seven] forty-nine together with such drafts of legislation as may be necessary to carry out its recommendations

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WATERHOUSE. Mr. Speaker, on this Senate Bill 114 I rise specifically in opposition to this bill. I do so for two reasons. Two years ago there were fifty thousand dollars appropriated to study the allocation of the gas tax that might be returned to the political subdivisions. The two years of study has continued and twenty-five thousand dollars of the taxpayers' money

has been expended, and as far as I can see we have gotten about \$3 worth of information. I think that to continue this for two more years is just to spend another twenty-five thousand dollars and possibly get a little additional information that we might be able to get from a book, but it is merely to stall an additional two years as far as doing anything for the political subdivisions is concerned. I really can see no benefit to be derived for the taxpayers by spending this additional twenty-five thousand dollars, and I think the time is here when we may as well be honest with ourselves and with the public. If we are going to give them some of this money, give it to them; if we are not, tell them so and save the money. So I certainly oppose this bill, and I believe that a motion would be in order that this bill be recommitted to the Committee on Highways.

MOTION TO RECOMMIT

Mr. WATERHOUSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for further study and possible amendment.

Mr. ANDREWS. Mr. Speaker, I should like to debate the merits of the bill rather than a motion to recommit.

The SPEAKER. Will the gentleman from Erie, Mr. Waterhouse, withdraw temporarily his motion to recommit, so that the merits of the bill might be discussed?

MOTION TO RECOMMIT WITHDRAWN

Mr. WATERHOUSE. I will, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Mr. ANDREWS. From the standpoint of sound policy and sound finance, Mr. Speaker, the two major problems that confront the Commonwealth are, how we are going to finance our public school system, and how we are going to develop and finance our public road system.

Both problems have been increasing in gravity over the years. We have thousand of miles of rural highway that should be improved in accordance with a definite program. We have thousands of miles of existing highway that present increasing maintenance cost.

We have many, many miles of highway that should be turned into four lane thoroughfares, and then we have other needs for additional two lane roads. The Highway Department and this General Assembly face an increasingly difficult problem. You can take a pencil and figure out the maintenance cost of maintaining highways: figure out the mileage that we need, and unless we begin to have something like a coordinated program we are less than ten years away from the point where ten cents per gallon of gasoline will not finance our highway system.

Our maintenance problem of course increases with every new mile of highway that we build. We must build many thousands of miles of highway, and ultimately increase the maintenance cost. We have been proceeding up to this time on a hit and miss basis, local pressure, lack of an over-all highway development program.

Now, it may be subject to controversy whether this particular Commission did or did not present the ultimate solution to the problem, but unless some Commission, some group representing this General Assembly, someone other than the state Highway Department is put to work solving our highway problems we are simply go-

ing to face as far as our highways are concerned, the situation that we face today with reference to our schools. We face our school problem because we puttered with it for twenty years and we never had a comprehensive over-all broad program for our public schools system, and we are heading into the same thing as far as our highway system is concerned. We lack an over-all development of a plan. In the development of that plan I say that the General Assembly should have a hand, and it is unfitting that we commit all of the highway development problems into the keeping of the Highway Department. I know of no other way to make the voice of the General Assembly vocal in the development of our highway program except to proceed by means of a legislative commission which will be at least in equal status with the Highway Department in informing this group as to what our highway needs actually are.

Mr. FLEMING. Mr. Speaker, I would agree with the gentleman from Cambria when he says that the voice of this General Assembly should be heard. I am afraid that the only purpose of this resolution that was presented was to keep the voice of the General Assembly from being heard. I think the gentleman from Cambria was a Member of the General Assembly in 1945 when it was the will, at least on this side of the General Assembly, of the House of Representatives, that a greater portion of the one cent gasoline tax be returned to the local municipalities, the cities, boroughs and the townships. I think he well recognizes the fight that was put up and we were finally forced to agree to several amendments which certainly were not in accord with the wishes of this House. I could well go along with him in legislation such as Senate Bill 114 if I thought it was only for the purpose that he enumerates, but then I am afraid it is offered only for the purpose of another two year stall, and only for the purpose of keeping the local municipalities, the boroughs, the townships and cities, from getting back their rightful and justifiable portion of the gasoline tax, then I find myself in opposition to it. I think the only purpose of this is to further stall an equitable redistribution of the one cent gasoline tax. For that reason I join with my colleague from Erie, Mr. Waterhouse, in opposing the passage of Senate Bill 114.

Mr. ANDREWS. Mr. Speaker, may I call the attention of the gentleman from Allegheny to the fact that the return of one cent or the return of two cents to local municipalities is only a part of our highway problem.

One of the defects of the fight that was made at the last session in reference to the one cent was that it was not integrated with a general development program. It was another piece of patch-work, and if we now return without reference to a general program of one cent, or two cents even, to the municipalities, we have not solved our over-all highway program.

If the gentleman is in a position to tell me, or the Majority Leader, the leadership of this House is in a position to say that if this bill falls they will see to it that a bill is brought in to provide for a continuing study of our highway problem, well and good. I have no disposition to plead for the personnel of this particular Commission but I do say it will be a fatal error not to continue with the program of devising an over-all highway program for Pennsylvania.

Mr. FISS. Mr. Speaker, I feel in all fairness to the

Members of this House that they should know the background and part of the history concerning this bill. Strangely enough for once I find myself in full accord with the Minority Leader, the gentleman from Cambria, Mr. Andrews. If we are to solve the many problems which we have in Pennsylvania, one of which is our roads, we certainly cannot solve them by hurry-up and very imperfect legislation.

The Joint State Government Commission has tried for two years and they have employed others to make surveys. I think we have been successful over a period of four years in the Joint State Government Commission, and we have brought this Commission up to a point where it truly represents the Membership of this House during the interim.

When the Members of the Joint State Government Commission were directed to make this study, among the fifteen studies attempted by the Commission, there was only one way to do it, and that was to set up committees for each and every one of these studies. There was a committee set up to make this study. They have worked diligently in conjunction with the Department of Internal Affairs, with the Auditor General's department, with the Department of Highways and with other Department heads, especially the Highway Department, in an honest effort to give you facts and statistics from which you can judge for yourselves, whether this work is profitable or not.

I hold in my hand that report. Some time ago I talked with a man who was opposed to this Senate Bill 114 because he did not thoroughly understand it. I asked him if he had read the report and he said he had not. I fear greatly that many Members have not read this report. Nor do they fully understand what it contains, nor the immense amount of work that was accomplished by the committee.

I sat with them during the heat of the summer for hours at a time. These statistics come from your Departments and your Department heads in conjunction with the Brookings Institute, which was hired to direct the study. These reports came to this committee as late as September. There was certainly no effort on the part of the committee to set up legislation or to draw up any bills after September. A large advisory group was set up, and in that advisory group they tried to take in every one who was interested in this problem of ours in Pennsylvania, and they too haven't had the proper time to even review this report or to take advantage of the statistics that are in it. This is another reason that we want to continue. They haven't wasted any funds. Every check that was passed out or even sent out by the Joint State Government Commission was signed by the Secretary and Treasurer of the Commission, who is none other than the Speaker of this House. Every check was countersigned by the Chairman of the Commission, who was none other than myself.

Let us just give you the background of the selection of the parties who were engaged to do this work. We tried many different groups who we thought would be capable of undertaking this study. Among them was the Pennsylvania Economy League. For a long time we felt that it would do a good job and we tried our best to have them do the job. There were two organizations

available, one centered in New York City, and the other, The Brookings Institute. The committee thought that because of their wide interests The Brookings Institute would possibly be more favorable to do this work than the other group in the center of New York City. So they were finally chosen to help along and do this work, and I fully agreed with it, because under the circumstances I thought it was the best that could be done. Along with them we also had some help from the Pennsylvania Economy League.

Now, Mr. Speaker, this is briefly the background. If we do not continue the work of this committee, whether it be the same personnel or whether it is not, you have all to lose and nothing to gain. Even the money that was appropriated could not be used again because of the amendment for diversion of highway funds. They have approximately one-half of this money, twenty-five thousand dollars, but here we give our own people in this House a chance to make this review and the more important over-all study of one of the greatest problems we have in Pennsylvania.

The Chairman of this committee was from the Senate, but the Vice Chairman we have in our own group in this House. The Vice Chairman of this committee was the gentleman from Lancaster, Mr. Royer. We have had representation from both sides of this House, both Republican and Democratic. There was no intent at any time to do anything unfair, so far as I know. If there was anything done behind my back, I certainly have no knowledge of it, but if we do not continue this, then we abandon all hope of ever having a complete study made of our highway system and its needs in Pennsylvania. It is important that we do this.

We cannot continue on and just do things haphazardly. I am willing for one to let the members of this committee continue on as a committee, and the members of this advisory group, to continue on in this study, because every one of them are interested, and as I say you certainly have all to lose and nothing to gain.

I think in fairness to this group of fine men who have agreed to serve as an advisory group, I should put their names on the record. I am going to read the names of the advisory committee to whom we look to continue this study in the next two years, and use the statistics that we have in this report that was printed, and then report further progress, something worth while.

W. E. Greenwood, President, League of Cities of the Third Class;

Chester Rogers, Secretary, League of Cities of the Third Class;

T. F. Chrostwaite, President, State Association of Boroughs;

Dr. H. F. Alderfer, Secretary, State Association of Boroughs (Secretary of Advisory Committee);

H. A. Fritchman, Secretary, State Association of Township Commissioners;

M. Joseph Connelly, President, State Association of Township Commissioners;

Robert Lloyd, President, State Association of County Commissioners;

Herbert Bolger, Secretary-Treasurer, Association of County Commissioners;

W. Purvis Taylor, Associated Petroleum Industries;

Gavin W. Laurie, Associated Petroleum Industries;
C. S. Klugh, Manager, Pennsylvania Automotive Association;

Henry J. Fritz, President, Pennsylvania Automotive Association;

Edward Gogolin, General Manager, Pennsylvania Motor Truck Association;

Paul W. Keely, President, Pennsylvania Motor Truck Association;

R. B. Maxwell, Secretary-Manager, Pennsylvania Motor Federation (Chairman of Advisory Committee);

Andrew J. Sordoni, President, Pennsylvania Motor Federation;

J. Maxwell Smith, President, Keystone Automobile Club;

Wm. S. Canning, Engineer Director, Keystone Automobile Club;

A. E. O'Brien, Executive Secretary, Association of Pennsylvania Constructors;

James J. Skelly, Chairman, Advisory Board, Association of Pennsylvania Constructors;

James S. Devlin, Director, Department of Public Works of Pittsburgh;

John D. Stevenson, Chief Engineer, Department of Public Works of Pittsburgh;

George H. Wilson, City Engineer, Scranton;

Frank Murray, Director, Public Works of Scranton;

Thomas Buckley, Chief, Bureau of Engineering of Philadelphia;

M. J. McLaughlin, Director, Public Works of Philadelphia;

Hon. Ray F. Smock, Secretary of Highways;

T. C. Frame, Chief Engineer, Department of Highways;

Hon. David W. Harris, Secretary of Revenue;

Otto F. Messner, Deputy Secretary of Revenue.

Mr. Speaker, I realize that reading over a long list of names is rather tiresome and I'm not going to tire you much longer, but I think in fairness to this advisory group who are all interested and willing to give their time without pay to do his work in an attempt to solve this problem, this should continue. All this bill does is to extend the time two years; that is all it does. Let me say again to you, if you vote against it you just simply vote for a dead loss, you have all to lose and nothing to gain.

I have just one further remark to make and that is this, I have always felt it unfortunate that one of the major groups refused to serve on this advisory committee. They represent the largest number of political units. I told them so that I would know that they would understand. I have always felt that it was very unfortunate that they did not agree to serve on this advisory committee. I think that we should pass this bill and give these men who have worked diligently for the past two years at least another opportunity to present their ideas and make some recommendations of their own.

Mr. FLEMING. . Mr. Speaker, if I in any way have given the impression that I have any criticism to offer for the gentleman from Snyder, Mr. Fiss, in his chairmanship of the Joint State Government Commission, or any member who has served on the Commission, I want to publicly state that it was not my intention. If I gave that impression I certainly do most humbly apologize to Mr. Fiss and to every member of the Commission. I think

they have done a splendid job. I think that in the main they have given remarkable service to the people of Pennsylvania and to the Members of the Legislature. I think their work should certainly be continued. I think that the Joint State Government Commission is one of the finest adjuncts to the State Legislature that we could possibly have.

I do, however, Mr. Speaker, again rise in opposition to this bill which I am sure is offered for the one purpose and one purpose only, that is for the purpose of delay so that the boroughs, townships and the cities in Pennsylvania cannot have permanently placed on the statute books of Pennsylvania a law which will give them a portion of the gasoline tax. I allege that to the Members of the House, and I think that many of you who served in the session of 1945 will agree with me that this is only for the purpose of delay.

I would, if possible without taking too much time of the House, like to interrogate the gentleman from Snyder Mr. Fiss, but I wonder if the heads of those various municipal groups, such as the association of townships, the second class townships, the associations of boroughs who are headed by men known to all of you members of the House—I wonder if they have approved this further study. I wonder if they have said, "Yes, we want this to go on, we want the study to be continued."

I certainly am not in opposition to any study that is made by the Joint State Government Commission that is for the great benefit of the people of Pennsylvania, but I am against any study that might possibly be made for the one purpose back of it, the purpose of delay. If the one purpose back of it is to delay giving to the municipalities of Pennsylvania much needed relief, I certainly concur again with the gentleman from Erie, Mr. Waterhouse, in opposing the passage of this bill.

Mr. FISS. Mr. Speaker, I think that I could give conclusive answers whether or not these men in this report—if you will just take the time to read even portions of it—have passed by resolution all of the details. They asked by resolution that this be continued. That certainly is fair enough. You can read the resolution and even the report, and I would say that even the worst opposition to it will agree that there is nothing to be gained by pushing this kind of action against the bill for the continuance of this study further. They are all agreed that this is the best thing that can be done and want it to be continued, and so do the members of the committee.

Vote for this bill, because you are simply voting against your own best interests if you vote against it. I want to repeat again that in all the time that I sat with this committee during their deliberations there was never one moment where they felt they were trying to delay, that they were dilatory in their acts; they were deliberate; they were constructive. There never was once, never did I hear that except for a few comments that I read from some who were opposed to it, that this was for delay, but never did that happen or come to my ears during the meetings of this committee or any of the advisory group. So until some of these things are really given us, they are not there. I am giving you the facts. I think that you had better let the Joint State Government Commission, one of the finest organizations that we have ever had in this Commonwealth, continue with this study.

Mr. ANDREWS. Mr. Speaker, I wish to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman whether the majority party leadership in this House is prepared to give bond that if we defeat this bill that there will be legislation at this session making additional appropriations from the gas tax, from a new gas tax, to the various political subdivisions?

Mr. FLEMING. Mr. Speaker, in answer to the gentleman I can only tell him that unfortunately I do not enjoy the privilege of being in on the inner circles. I would hope that the municipalities would get back more.

Mr. ANDREWS. That is almost a lawyer's answer, Mr. Speaker. He has made his plea for the defeat of this bill and based it on the suggestion that in some way if we defeat this bill there will be additional appropriations to the local political subdivisions from some gas tax. I am perfectly willing to scrap this bill, and practically all of the other bills on the calendar, if the Republican leadership of this House will inform the Members that they have it in mind to make additional appropriations to the political subdivisions that are so dear to the heart of the gentleman from Allegheny. But when he refuses to say that the defeat of this particular measure in any way contributes to a future support of the political municipalities, I think he is all wound up and thrown down by his own party.

Mr. FLEMING. Mr. Speaker, when I answered the interrogation of the gentleman from Cambria, I spoke in good faith. I don't know whether that would make possible a greater allocation for reimbursement to local municipalities or not. But I do say to the gentleman from Cambria that if we pass this bill it will definitely close the door to any further appropriations back to our local districts.

Mr. ANDREWS. Mr. Speaker, since the gentleman says that he is not seated in the inner council will he suggest the name of someone who perhaps is seated in the inner council who can answer the question as to whether or not the passage of this bill will close the door to appropriations to the local political subdivisions during the next two years? If the gentleman does not know I would like to have him tell me some Member who does know.

The SPEAKER. The Chair sees rising on the floor his personal counsel. The Chair recognizes the gentleman from Elk, Mr. Sorg.

Mr. SORG. Mr. Speaker, the passage or defeat of this measure will not in any manner influence the allocation of funds to the municipalities for the next biennium. I wanted on several occasions before to indicate that when I vote for this measure I am voting for an intelligent approach and a proper study of the problem of road maintenance in our various municipalities.

I am not prepared to give such a bond as the gentleman from Cambria asked for, but I am here to assure the Members of this House that when I do vote for this measure I do so in all sincerity and in the belief that it does not involve delay of any kind.

Mr. ANDREWS. I thank the gentleman, Mr. Speaker

I am glad to find that for once if I happen to be licked he gets licked along with me.

Mr. WATERHOUSE. Mr. Speaker, I am very reluctant to drag this out any longer as the Members are probably getting fed up. I want it known that I have only the highest respect for the Members of this Commission and the committee on which they served. But when we say that there were no funds wasted, maybe that is one thing that should not have been mentioned. It is a known fact that ten thousand dollars was spent for a report that had already been published which could have been obtained for three dollars. I am wondering if we continue this whether or not this twenty-five thousand dollars is going to get us any further information than we have already received for the twenty-five thousand dollars that we spent. If we already have the report and haven't had the time to study it, why spend twenty-five thousand dollars more in order to look over what we already have?

We are here as a General Assembly and should be here in all seriousness. We have a top-heavy budget; we are trying to find ways and means of getting money for mental institutions, and what have you. Yet we say that if we do not spend the twenty-five thousand dollars that we have nothing to gain and have everything to lose. Well, twenty-five thousand dollars to me means a lot of money, but maybe I just don't understand finances.

If any of the Commission believe I am saying this as any indication that they were not honest, I want them to understand that is not so. I just believe when they started the thing and when the Advisory Committee were appointed and others who did not serve, that possibly they knew that this report was going to be used; I don't know. No one informed me on this thing, but I believe that this bill instead of coming up for a vote now should be placed on the third reading postponed calendar until we have some idea of how the gasoline funds are going to be allocated.

The gentleman from Cambria asked one question, and if I had had the privilege of answering the gentleman I would have told him that the sponsor of this bill could have told him better than anyone else as to what was going to happen about the one cent.

MOTION TO POSTPONE

Mr. WATERHOUSE. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

Mr. FISS. Mr. Speaker—

The SPEAKER. Does the gentleman desire to debate the bill or the motion to recommit?

Mr. FISS. I will readily admit that I am somewhat at a loss to know whether if I asked the gentleman from Erie to yield until we do have a final debate, he would withdraw his motion temporarily, because I wish further to debate the merits of the bill.

The SPEAKER. Will the gentleman from Erie withdraw his motion temporarily?

MOTION TO POSTPONE WITHDRAWN

Mr. WATERHOUSE. I shall, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Mr. FISS. I think we have heard statements that I

certainly cannot let go unchallenged. When we hear on the floor of the House that money has been wasted by the Joint State Government Commission, then we accept that challenge and I ask the gentleman to bring forth any evidence that he has on his part to show that one check or one cent that went out of the office of the Joint State Government Commission was wasted wilfully. I cannot let statements of that kind go unchallenged, Members of this House.

These men have worked diligently and served diligently and served honestly and served loyally, and when we hear that money has been deliberately wasted, that this is only for delay, that the same information could be bought for a mere three dollars, that reference is only necessary to a book published by the Brookings Institute a number of years ago—and I read that book thoroughly myself—I want to ask the gentleman from Erie to think of the long hours that two of the finest auditors of the Highway Department sat over there in the Joint State Government Commission in the hot hours of last summer and compiled all these reports; think of the members who came from the Internal Revenue Department who also okayed and checked all the figures; think of the men who came from the Department of Internal Affairs and helped us with their machines even in the additions; besides the staff, one of the most efficient staffs of employes that we have in this Commonwealth, and I will except none, these employes of the Joint State Government Commission who have worked overtime along with the members of this committee—I cannot let a statement of that kind go unchallenged.

We welcome, although I am not now the chairman of the Joint State Government Commission, we welcome any investigation. We welcome any board of auditors, any set of investigators, to come before us and examine all of our books, all of our papers. I again say to the Members of this House that this work was performed faithfully, honestly and diligently, and I certainly think that we ought to uphold the members of the Commission as well as this committee, especially those who are Members of this House.

Mrs. DYE. Mr. Speaker, I would like to interrogate the gentleman from Snyder, Mr. Fiss.

The SPEAKER. Will the gentleman from Snyder permit himself to be interrogated?

Mr. FISS. I shall, Mr. Speaker.

Mrs. DYE. Mr. Speaker, was there not a resolution adopted by the advisory committee to request a continuation of the study for two more years, and in the meantime all gas tax and highway legislation would remain in status quo?

Mr. FISS. The advisory committee made a report of that kind, and asked for that in their resolution, that it be continued. Now, it was only, I think with the thought in mind that they did not have sufficient time, but certainly they would have no power whatsoever to keep anything in status quo.

Mrs. DYE. Could the gentleman read a copy of the resolution, Mr. Speaker?

Mr. FISS. It is quite lengthy, Mr. Speaker. The lady from Mercer, Mrs. Dye asked me to read the resolution offered by the advisory committee. I hope you will bear with me, because it is quite lengthy.

"A meeting to receive the report of the advisory committee was held on December 19, 1946, at which time the advisory committee presented its report and recommendations in the form of the following resolution:

"Whereas: The resolution of the General Assembly instructed the Joint State Government Commission through its committee on highways and in consultation with the Advisory Committee appointed thereunder to make "a thorough investigation and impartial study in order to determine the relative responsibilities and burdens which should in equity be placed on the Commonwealth and on political subdivisions in respect to financing and construction, reconstruction, and maintenance of the highways of the Commonwealth, including all state and local highways" and "generally to develop a sound and scientific financial highway program for the Commonwealth and its political subdivisions," and

"Whereas: The basic objective of the investigation and study was to see that the revenues derived from the taxation of motorists and from local taxation be so expended as to produce the maximum of economy and efficiency in highway expenditures, to secure equity for the several groups of taxpayers and provide the greatest benefits to the people of the Commonwealth, and

"Whereas: Under authority of the legislative resolution the Brookings Institution has prepared an impartial and objective report following its investigation of conditions in the Commonwealth, and

"Whereas: The report of The Brookings Institution indicates that it is difficult if not impracticable to devise formulae for the allocation of motor fund monies to the political subdivisions for highway purposes on a basis equitable to all interests until substantial modifications have been made in the physical, administrative and legal structure of our highway system, and

"Whereas: In view of the much larger scope of the study that now appears to be necessary, it seems inopportune at this time for the Advisory Committee to develop a complete program of legislation for consideration at the coming Session of the General Assembly."

That is the resolution.

Mrs. DYE. Mr. Speaker, I would like to further interrogate the gentleman from Snyder, Mr. Fiss, and ask who wrote the resolution.

Mr. FISS. This resolution as I say, "A meeting to receive the report of the advisory committee was held on December 19, 1946—" I can give you the names of a number of the members but I will also give you the President, R. P. Maxwell, Secretary-Manager of the Pennsylvania Motor Federation was the Chairman of the Advisory Committee. Dr. H. F. Alderfer, Secretary of the State Association of Boroughs was Secretary of the Advisory Committee.

Mrs. DYE. I thank the gentleman, Mr. Speaker.

Mr. McKINNEY. Mr. Speaker, I do not wish to prolong the debate on this particular bill, but I do wish to state my position on its final enactment.

I have been opposed to this, I think the money has been wasted, I think any further continuation of this study would be wasted. I think the local communities have received no benefit from this and I ask the House to vote against this bill.

Mr. WATERHOUSE. Mr. Speaker, I believe I should again make it clear; the gentleman from Snyder said that he could not let go unchallenged the statement that money had been wilfully wasted or that there was any dis-

honesty or what have you. There is no such intent in any remarks that I have made. Whether there was or was not I do not know, but I would like to interrogate the gentleman from Snyder, Mr. Fiss, if I might.

The SPEAKER Will the gentleman from Snyder permit himself to be interrogated?

Mr. FISS. I shall, Mr. Speaker.

Mr. WATERHOUSE. Mr. Speaker, I would like to inquire from the gentleman from Snyder as to whether or not Brookings's Institute received between \$9,000 and \$10,000 for their report?

Mr. FISS. Mr. Speaker, they did not receive ten thousand dollars for their report. They worked throughout the two years in conjunction with the other departments and employes and presented their report. The recommendations only of the Brookings's Institute is what appears some place in the book referred to.

Mr. WATERHOUSE. Mr. Speaker, that is not answering my question; that is evading it. It is what you might call a lawyer's answer. I asked whether or not Brookings's Institute received a check from the Commission for between \$9,000 and \$10,000 for their services—I will put it that way.

Mr. FISS. Brookings's Institute was hired by the Joint State Government Commission on recommendations of this committee with a contract for ten thousand dollars even money.

Mr. WATERHOUSE. Mr. Speaker, did the Commission receive any information or service from the Brookings's Institute that they would not have been able to have gotten had they studied the report or the book that had already been published by the Brookings's Institute before they were hired for their particular duty?

Mr. FISS. There is the crux of the whole matter. In the first place I tried to make it plain to the membership of this House that we attempted to hire, not Brookings's Institute but the Pennsylvania Economy League to make this study. We tried many others; at least a half dozen others. We came to two who were willing to undertake this study. One I just cannot recall the name of that had headquarters in New York City, and the other was the Brookings's Institute. I say to the membership of this House that throughout the two years of work in conjunction with all of the employes of the Commission and the different Departments who were aiding us, there was unlimited work done by the Brookings's Institute. No reference in any sense was ever made to the bill during this study, but there was hour after hour spent in collecting data and statistics by the Brookings's Institute, the Pennsylvania Economy League and the different Departments I have mentioned.

Mr. WATERHOUSE. That will be all. I thank the gentleman.

Mr. Speaker, after the interrogation we know exactly what we knew before, that we have paid ten thousand dollars to Brookings's Institute, but we still do not know whether we got any information that we might not have had had we just sat down and studied the little book. I can only agree with my colleagues, Mr. Fleming and Mr. McKinney that this is a stall, and I believe that the motion that I made should be in order at this time, that this bill be placed on the postponed calendar—the final passage postponed calendar.

MOTION TO POSTPONE

Mr. WATERHOUSE. Mr. Speaker, I move that this bill be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER declared the nays appear to have it.

Whereupon, a division was called for, 55 members voting in the affirmative and 105 in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—140

Aaronson,	Getchey,	Mazza,	Rowen,
Andrews,	Gibson,	McCormack,	Royer,
Baumunk,	Gooding,	McCosker,	Sax,
Bender,	Gorman,	McDonald,	Scanlon,
Bloom,	Graybill,	Mihm,	Schuster,
Boies,	Greenwood,	Mikula,	Scott,
Bonawitz,	Greer,	Miller,	Serrill,
Boorse,	Guthrie,	Mintess,	Shoemaker,
Bower,	Gyger,	Mohr,	Smith, C. C.,
Brice,	Hall,	Morrison,	Smith, C. M.,
Brown,	Haudenschild,	Murray,	Sollenberger,
Brunner,	Helm,	Myers,	Sorg,
Bucchin,	Henry,	Naumann,	Sproul,
Cadwalader,	Hewitt,	Needham,	Stank,
Cassidy,	Hocker,	O'Connor,	Stimmel,
Chervenak,	Hoffman,	O'Dare,	Stockham,
Clevenger,	Hoopes,	O'Donnell,	Stonier,
Cook,	Horan,	O'Neill,	Tahl,
Cooper,	Imbt,	Orban,	Thomassy,
Cordier,	Jennings,	Patten,	Thompson,
Costa,	Johnson,	Pichney,	Tittle,
Crowley,	Jump,	Pickens,	Toomey,
Dague,	Kean,	Powers,	Turner,
Davison,	Kelley,	Propert,	Upshur,
De Long,	Kemp,	Ragot,	Wachhaus,
Demech,	Kratz,	Reagan,	Wagner,
Dennison,	Krise,	Reese, D. P.,	Waldron,
Efenberg,	Layer,	Relly, J. M.,	Walton,
Elder,	Lee,	Relly, W. J.,	Watkins,
Ewing,	Leisey,	Richter,	Watson,
Feola,	Livingston,	Riley,	West,
Fiss,	Livingstone,	Robbins,	Wood,
Flack,	Lofthus,	Robertson,	Yeakel,
Frost,	Lyons,	Root,	Yetzer,
Gallagher,	Madden,	Rose,	Lichtenwalter,
			Speaker.

NAYS—51

Bane,	Flsh,	Lovett,	Snider,
Beech,	Fleming,	Madigan,	Stuart,
Bentzel,	Foor,	McCullough,	Swope,
Breisch,	Goff,	McKinney,	Tompkins,
Capano,	Griffiths,	Mills,	Vaughan,
Chudoff,	Haller,	Mooney,	Waterhouse,
Cochran,	Johnston,	Moore, H. A.,	Weidner,
Cole,	Jones,	Neff,	Wheeler,
Depuy,	Kent,	Nelson,	Wolf,
Dix,	Kirley,	Petrosky,	Worley,
Dye,	K'ne,	Polaski,	Yester,
Erb,	Kohl,	Price,	Young,
Evans,	Kurtz,	Reese, R. E.,	

NOT VOTING—14

Barrett,	Moore, C. E.,	Simons,	Wallin,
Dalrymple,	Najaka,	Trout,	Weiss,
Laughner,	Readinger,	Verona,	Wescott,
McMillen,	Sarrafi,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PARLIAMENTARY INQUIRY

Mr. ANDREWS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS. Would it be necessary to have a special rule in order to keep Cappy Thompson from coaching from the sidelines?

The SPEAKER. For the information of the gentleman from Cambria, Mr. Andrews, the Chair might state that it is not necessary to pass any special rule. Under rule 91 we find that:

"No person shall be permitted to occupy the seats of the Members; or interrupt a Member by speaking to him in his seat while the House is in session; and it shall be the duty of the Sergeant-at-Arms to give notice to any person offending against this rule."

Mr. ANDREWS. I thank the Speaker, and would the Speaker call the Rule to the attention of the Sergeant-at-Arms?

The SPEAKER. Delighted.

BILL PASSED OVER

There being no objection,

Senate Bill No. 152, Printer's No. 245, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 194, as follows:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to any real estate situate in this Commonwealth which may have been held prior to the first day of January one thousand nine hundred forty-seven by any foreign corporation not authorized under the laws of Pennsylvania to transact business in Pennsylvania the title to which real estate has been heretofore conveyed by such foreign corporation to a citizen or citizens of the United States or to any corporation incorporated under the laws of this Commonwealth or of any other state or commonwealth in the United States and authorized to hold such real estate is hereby declared to be good and valid and free and clear of any right of escheat by the Commonwealth and such citizen citizens or corporation grantees as aforesaid and his their or its respective heirs successors and assigns shall hold and may convey such title and estate indefeasible as to any right of escheat which the Commonwealth might otherwise have by reason of said unauthorized holding and conveyance by such foreign corporation and all such conveyances heretofore made are hereby ratified and confirmed.

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons.
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider.
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Bresch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier.
Bucchin,	Henry,	Myers,	Stuart,
Jadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Habt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fliss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter.
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 231, as follows:

An Act to amend the title and Section 1 of the act approved the sixteenth day of May one thousand nine hundred and forty-five (P. L. 594 Number 249) entitled "An act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions

out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions" by removing certain limitations upon the power of corporations to make contributions for charitable purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 594 Number 249) entitled "An act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions" is hereby amended to read as follows

An act authorizing and empowering any corporation for profit and any Mutual Insurance Company Mutual Savings Bank or other corporation on a mutual plan heretofore or hereafter organized under any general or special law of this Commonwealth of action of its board of directors to make contributions [out of its income in any taxable year] for public and charitable purposes [to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders] and ratifying certain contributions

Section 2 Section 1 of the said act is hereby amended to read as follows

Section 1 Any corporation for profit and any Mutual Insurance Company Mutual Savings Bank or other corporation on a mutual plan heretofore or hereafter organized under any general or special law of this Commonwealth be and hereby it is authorized and empowered by action of its board of directors to make contributions [out of its income in any taxable year] to or for the use or benefit of

(a) the United States any state territory or any political subdivision thereof or the District of Columbia or any possession of the United States for exclusively public purposes or

(b) a corporation trust or community chest fund or foundation created or organized in the United States or in any possession thereof or under the laws of the United States or of any state or territory or of the District of Columbia or of any possession of the United States and organized and operated exclusively for religious charitable scientific veteran rehabilitation service literary or educational purposes or for the prevention of cruelty to children [(but in the case of contributions to a trust chest fund or foundation payment of which is made within the taxable year of such corporation beginning after the date of the cessation of hostilities in the present war as proclaimed by the President of the United States only if such contributions are to be used within the United States or any of its possessions exclusively for such purposes)] no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation to the extent [in the aggregate] authorized approved or ratified by [the] action of the board of directors of the corporation except as otherwise specifically provided or limited by its articles of incorporation or its by-laws [of the corporation] or by resolution [of] duly adopted by its shareholders or members

All contributions made heretofore [or at any time prior to the next annual meeting of the shareholders held after the passage of this act] by authority of the board of directors of the corporation for the purposes prescribed by this act are hereby ratified and confirmed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

- | | | | |
|-------------|---------------|----------------|----------------|
| Aaronson, | Frost, | McCormack, | Sax, |
| Andrews, | Gallagher, | McCosker, | Scanlon. |
| Bane, | Getchey, | McCullough, | Schuster, |
| Barrett, | Gibson, | McDonald, | Scott, |
| Baumunk, | Goff, | McKinney, | Serrill, |
| Beech, | Goofding, | McMillen, | Shoemaker, |
| Bender, | Gorman, | Mihm, | Simons, |
| Bentzel, | Graybill, | Mikula, | Smith, C. C., |
| Bloom, | Greenwood, | Miller, | Smith, C. M., |
| Boles, | Greer, | Mills, | Snider, |
| Bonawitz, | Griffiths, | Mintess, | Sollenberger, |
| Boorse, | Guthrie, | Mohr, | Sorg, |
| Bower, | Gyger, | Mooney, | Sproul, |
| Brelsch, | Hall, | Moore, C. E., | Stank, |
| Brice, | Haller, | Moore, H. A., | Stimmel, |
| Brown, | Haudenschild, | Morrison, | Stockham, |
| Brunner, | Helm, | Murray, | Stonier, |
| Buchin, | Henry, | Myers, | Stuart, |
| Cadwalader, | Hewitt, | Naumann, | Swope, |
| Capano, | Hocker, | Needham, | Tahl, |
| Cassidy, | Hoffman, | Neff, | Thomassy, |
| Chervenak, | Hoopes, | Nelson, | Thompson, |
| Chudoff, | Horan, | O'Connor, | Tittle, |
| Clevenger, | Imbt, | O'Dare, | Tompkins, |
| Cochran, | Jennings, | O'Donnell, | Toomey, |
| Cole, | Johnson, | O'Neill, | Turner, |
| Cook, | Johnston, | Orban, | Upshur, |
| Cooper, | Jones, | Patten, | Vaughan, |
| Cordler, | Jump, | Petrosky, | Verona, |
| Costa, | Kean, | Pichney, | Wachhaus, |
| Crowley, | Kelley, | Pickens, | Wagner, |
| Dague, | Kemp, | Polaski, | Waldron, |
| Dalrymple, | Kent, | Powers, | Wallin, |
| Davison, | Kirley, | Price, | Walton, |
| De Long, | Kline, | Probert, | Waterhouse, |
| Demech, | Kohl, | Ragot, | Watkins, |
| Dennison, | Kratz, | Readinger, | Watson, |
| Depuy, | Krise, | Reagan, | Weidner, |
| Dix, | Kurtz, | Reese, D. P., | Weiss, |
| Dye, | Laughner, | Reese, R. E., | Wescott, |
| Efenberg, | Layer, | Reilly, J. M., | West, |
| Elder, | Lee, | Reilly, W. J., | Wheeler, |
| Erb, | Lelsey, | Richter, | Wolf, |
| Evans, | Livingston, | Riley, J. | Wood, |
| Ewing, | Livingstone, | Robbins, | Worley, |
| Feola, | Loftus, | Robertson, | Yeakel, |
| Fish, | Lovett, | Root, | Yester, |
| Fiss, | Lyons, | Rose, | Yetzer, |
| Flack, | Madden, | Rowan, | Young, |
| Flaming, | Madigan, | Royer, | Lichtenwalter, |
| Foor, | Mazza, | Sarra, | Speaker. |

NAYS—0

NOT VOTING—2

- Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 232, as follows:

An Act to amend Subsection 16 of Section 302 of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act re-

lating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection 16 of Section 302 of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" which subsection was added to such section by the act approved the sixteenth day of May one thousand nine hundred and forty five (P. L. 605) is hereby amended to read as follows

(16) To make contributions [out of its income in any taxable year] to or for the use or benefit of

(a) The United States any state territory or any political subdivision thereof or the District of Columbia or any possession of the United States for exclusively public purposes or

(b) A corporation trust or community chest fund or foundation created or organized in the United States or in any possession thereof or under the laws of the United States or of any state or territory or of the District of Columbia or of any possession of the United States and organized and operated exclusively for religious charitable scientific veteran rehabilitation service literary or educational purposes or for the prevention of cruelty to children [(but in the case of contributions to a trust chest fund or foundation payment of which is made within the taxable year of such business corporation beginning after the date of the cessation of hostilities in the present war as proclaimed by the President of the United States only if such contributions are to be used within the United States or any of its possessions exclusively for such purposes)] no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation to the extent [in the aggregate] authorized approved or ratified by [the] action of the board of directors of the corporation except as otherwise specifically provided or limited by its articles of incorporation or its by-law [of the corporation] or by resolution [of] duty adopted by its shareholders All contributions made heretofore [or at any time prior to the next annual meeting of the share-

holders held after the passage of this act] by authority of the board of directors of the corporation for the purposes prescribed by this act are hereby ratified and confirmed

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelschi,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Heim,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dakruple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Wells,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarrafa,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 239, as follows:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County of Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 9 Support Orders

* * * * *

In all cases where the cost of board or care and maintenance of a child have been ordered paid by the county it shall be directly liable to the person family association society or institution having the care guidance and control of the child [but the county shall in all cases have full recourse to recover the amounts so paid from the persons or poor district liable for the support of such child] In cases where the county or county institution district is responsible for support maintenance or care of any child or children in any private home foster home children's home or institution whether public or private the court may order the parents or persons responsible for the education support maintenance or care of said child or children to reimburse the county or county institution district for the cost of support maintenance or care of said child or children The court shall have power to enforce any such order for support maintenance or care of such child or children in like manner as courts of quarter sessions or other courts of record having jurisdiction may enforce orders for support under the laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,

Brelschi,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Buchin,	Hewitt,	Naumann,	Swope,
Cadwalader,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Johnston,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wheeler,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wescott,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.
Frost,	McCormack,	Sax,	

NAYS—1

NOT VOTING—2

Capano,

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 250, as follows:

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the Superintendent or any physician or psychiatrist of any State-owned mental hospital is required to appear and testify before any court or commission issued out of such court in a civil proceeding relating to the mental condition of any patient in his charge in such hospital the deposition of or sworn statement by such superintendent physician or psychiatrist may be admissible in evidence as to the condition of such patient in lieu of the appearance and testimony of such superintendent physician or psychiatrist in court or before a commission unless by special order the court directs and requires the appearance and testimony in person of such superintendent physician or psychiatrist

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, J. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelschi,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Buchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

MEMBER CONGRATULATED

The SPEAKER. The Chair is very happy at this time to congratulate a Member of the House on becoming a proud father, the gentleman from Lackawanna, Mr. Cordier.

The Chair understands that the cigar line, tax free, will form at the postoffice room immediately after the session. The Chair might also say that the minority Members an-

nounced yesterday the birth of a child in the home of a Democratic Member, Mr. Weiss. The Speaker's Page has had a birth in his family. This puts us one up.

The Chair recognizes the gentleman from Lackawanna, Mr. Cordier.

Mr. CORDIER. Mr. Speaker, I plead guilty, and it is not my first offense. I presume I am subject to the penalty of the law—subject to a life sentence. However, I feel well compensated under the circumstances. I have wondered what kind of a world the youngsters would come into, whether it will be one of trial and tribulation or whether it will be one of scientific progress, additional educational facilities and an era of peace. I am certain that our parents and grandparents wondered about us the same way when we were born. However, I might say that any child that is born in America today is born in a land which is the beacon of liberty and freedom, and for that reason, if for no other reason we should continue propagation to make this land stronger. I want to submit that I am doing my share, and I want to say that the mother and son are doing very well. However, I cannot correctly report on the condition of the father. Thank you so much.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 282, as follows:

An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by authorizing building and loan associations to grant chattel mortgages in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" is hereby amended by adding at the end thereof a new section to read as follows

Section 915 Chattel Mortgages When an association holds a mortgage on real estate as security for a loan it may also grant a chattel mortgage to the mortgagor of the real estate to assist him in the purchase of consumer's durable goods such as electrical appliances ranges refrigerators awnings screens storm doors and sash furnace burners and equipment pertaining thereto space heaters air conditioning systems ventilating fans laundry equip-

ment water heaters water supply equipment water treatment apparatus and similar items to be used in connection with the occupancy of the mortgaged premises Provided That the amount of such chattel mortgage shall not exceed seventy-five per cent (75%) of the purchase price of said article nor its term exceed five (5) years No such chattel mortgage may be granted unless it is a first lien on the chattels described therein nor shall the total of all chattel mortgages granted in connection with any one piece of mortgaged real estate exceed the sum of one thousand dollars (\$1000) Any chattel mortgage granted in reliance on this section shall conform to the requirements of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) its amendments and supplements In addition to the chattel mortgage the association shall also secure a bond or judgment note evidencing the borrower's agreement to repay the amount loaned such repayments to be made on a direct reduction basis in monthly installments over the term of the chattel mortgage The bond or note shall further provide that if the obligor shall sell the mortgaged real estate or remove therefrom any chattel described in the chattel mortgage the entire balance remaining due on the chattel mortgage shall immediately become due and payable No title examination shall be required in connection with the granting of any chattel mortgage provided the seller of the chattels furnished the association with a receipted bill of sale for the chattels described in the mortgage

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Andrews.	Frost.	McCormack.	Sax.
Aaranson.	Gallagher.	McCosker.	Scanlon.
Bane.	Getchey.	McCullough.	Schuster.
Barrett.	Gibson.	McDonald.	Scott.
Baumunk.	Goff.	McKinney.	Serrill.
Beech.	Goodling.	McMillen.	Shoemaker.
Bender.	Gorman.	Mihm.	Simons.
Bentzel.	Graybill.	Mikula.	Smith, C. C.
Bloom.	Greenwood.	Miller.	Smith, C. M.
Boies.	Greer.	Mills.	Snider.
Bonawitz.	Griffiths.	Mintess.	Sollenberger.
Boorse.	Guthrie.	Mohr.	Sorg.
Bower.	Gyger.	Mooney.	Sproul.
Breisch.	Hall.	Moore, C. E.	Stank.
Brice.	Haller.	Moore, H. A.	Stimmel.
Brown.	Haudenschild.	Morrison.	Stockham.
Brunner.	Helm.	Murray.	Stonier.
Bucchin.	Henry.	Myers.	Stuart.
Cadwalader.	Hewitt.	Naumann.	Swope.
Capano.	Hocker.	Needham.	Tahl.
Cassidy.	Hoffman.	Neff.	Thomassy.
Chervenak.	Hoopes.	Nelson.	Thompson.
Chudoff.	Horan.	O'Connor.	Tittle.
Clevenger.	Imbt.	O'Dare.	Tompkins.
Cochran.	Jennings.	O'Donnell.	Toomey.
Cole.	Johnson.	O'Neill.	Upshur.
Cook.	Johnston.	Orban.	Vaughan.
Cooper.	Jones.	Patten.	Verona.
Cordier.	Jump.	Petrosky.	Wachhaus.
Costa.	Kean.	Pichney.	Wagner.
Crowley.	Kelley.	Pickens.	Wallin.
Dague.	Kemp.	Polaski.	Walton.
Dalrymple.	Kent.	Powers.	Waterhouse.
Davison.	Kirley.	Price.	Watkins.
De Long.	Kline.	Propert.	Watson.
Demech.	Kohl.	Ragot.	Waldron.
Dennison.	Kratz.	Readinger.	Weidner.
Depuy.	Krise.	Reagan.	Weiss.
Dix.	Kurtz.	Reese, D. P.	Wescott.
Dye.	Laughner.	Reese, R. E.	West.
Efenberg.	Layer.	Reilly, J. M.	Wheeler.
Elder.	Lee.	Reilly, W. J.	Wolf.
Erb.	Leisey.	Richter.	Wood.
Evans.	Livingston.	Riley.	Worley.

Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker
Foor,	Mazza,	Sarra,	

NAYS—1

Turner,

NOT VOTING—2

Najaka,

TROUT,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 289, as follows:

An Act to further amend Sections four hundred ten and four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing an alternate method for marking boundary lines of regulated shooting grounds and authorizing fixing of shooting periods thereon under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred ten of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 517) is hereby further amended to read as follows

Section 410 Permits to Operate Regulated Shooting Grounds Any person association or corporation desiring to operate regulated shooting grounds upon which to propagate and release annually a minimum of one hundred of any of the following species of game birds namely pheasants chukar partridges or mallard or black ducks or upon which to release such numbers and species of birds when legally propagated or purchased for shooting and other purposes on lands owned or leased by him or it shall first secure a regulated shooting grounds permit from the commission The application in addition to other information required by the commission shall state the approximate number of each of the foregoing species of game birds to be reared or purchased and released for shooting purposes on said property during the ensuing year

No regulated shooting grounds permit shall be issued for less than one hundred (100) acres in one tract of land or land and water combined nor shall such permit be issued until the commission has satisfied itself that said shooting ground will not be inimical to the public interest

The boundary of the premises so licensed shall be marked by a single strand of wire or other fence and shall be posted with printed notices not more than one hundred yards apart and containing such wording as the commission may prescribe

In lieu of maintaining a single strand of wire or other fence where a clearly visible boundary already exists such as a regularly used roadway or highway the licensee may post the required notices on each side of all roadways or other entrances leading into the area and elsewhere

at intervals not exceeding fifty yards apart Where such unfenced boundary line passes through forest or brush land or briar thickets or high weed growth the licensee shall maintain a cleared strip of five or more feet from which brush weed and other high growth is removed annually

Section 2 Section four hundred eleven of said act as last amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 517) is hereby further amended to read as follows

Section 411 Shooting Restrictions on Regulated Grounds Such permits shall entitle the holder or holders thereof and their guests to kill or take by shooting only not to exceed seventy-five per centum of the pheasants and chukar partridges and ninety per centum of the mallard or black ducks propagated or purchased and released on the premises each year said propagation or release to be established to the satisfaction of the commission

All game birds released on said regulated shooting grounds shall be full-winged and fully able to care for themselves in a wild state and wherever the commission deems it desirable all mature birds released shall bear a metal leg band of a type approved by it Such propagated or released birds may be taken without regard to sex or age or daily or season bag limits so long as not more than the specified percentages herein enumerated are taken during the shooting period below authorized [but no shooting for pheasants chukar partridges or mallard or black ducks shall be done on said premises prior to the date and hour of the general state-wide open season for small game as fixed by this act or the commission nor after December thirty-first of any year]

(a) The period for taking domestically produced pheasants and chukar partridges on regulated shooting grounds in areas where wild ringneck pheasants thrive and normally produce a shutable supply of such birds shall begin on the date and hour of the general state-wide open season for small game as fixed by the act or the commission and continue to the thirty-first day of December inclusive

(b) The period for taking such ringneck pheasants and chukar partridges on regulated shooting grounds established in areas other than those stipulated in paragraph (a) above shall be fixed by the commission without regard to the general state-wide open season for small game the period so fixed to be certified to the holders of such permits at least thirty days in advance of the season

(c) The period for taking domestically produced mallard or black ducks on regulated shooting grounds unless otherwise fixed and so certified by the commission shall conform with the season established for waterfowl hunting by Federal regulations in effect for the Commonwealth of Pennsylvania

All species of game other than those specified found on the premises covered by such regulated shooting grounds permits may be taken on said premises only under the general provisions of the law governing seasons bag limits etc.

Every person hunting on such regulated shooting grounds or participating in a shoot held under a regulated shooting grounds permit shall be possessed of a resident or nonresident hunter's license for the current year as required by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Gallagher,	Mazza,	Sarra,
Andrews,	Getchey,	McCormack,	Sax,
Bane,	Gibson,	McCosker,	Scanlon,
Barrett,	Goff,	McCullough,	Schuster,

Baumunk,	Goodling,	McDonald,	Scott,
Beech,	Gorman,	McKinney,	Serrill,
Bender,	Graybill,	McMillen,	Shoemaker,
Bentzel,	Greenwood,	Mihm,	Simons,
Bloom,	Greer,	Mikula,	Smith, C. C.,
Boies,	Griffiths,	Miller,	Smith, C. M.,
Bonawitz,	Guthrie,	Mills,	Snider,
Boorse,	Gyger,	Montess,	Sollenberger,
Bower,	Hall,	Mohr,	Sorg,
Breisch,	Haller,	Mooney,	Sproul,
Brice,	Haudenshield,	Moore, C. E.,	Stank,
Brown,	Helm,	Moore, H. A.,	Stimmel,
Brunner,	Henry,	Morrison,	Stockham,
Buechin,	Hewitt,	Murray,	Stonier,
Cadwalader,	Hocker,	Myers,	Stuart,
Capano,	Hoffman,	Naumann,	Tahl,
Cassidy,	Hoopes,	Needham,	Thomassy,
Chudoff,	Horan,	Neff,	Thompson,
Clevenger,	Imbt,	Nelson,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
De Long,	Kent,	Polaski,	Waldron,
Demech,	Kirley,	Powers,	Wallin,
Dennison,	Kilne,	Price,	Walton,
Depuy,	Kohl,	Proper,	Waterhouse,
Dye,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Efenberg,	Kurtz,	Reagan,	Weidner,
Elder,	Laughner,	Reese, D. P.,	Weiss,
Erb,	Layer,	Reilly, J. M.,	Wescott,
Evans,	Lee,	Reilly, W. J.,	West,
Ewing,	Leisey,	Richter,	Wheeler,
Feola,	Livingston,	Riley,	Wolf,
Fish,	Livingstone,	Robbins,	Wood,
Fiss,	Loftus,	Robertson,	Worley,
Flack,	Lovett,	Root,	Yeakel,
Fleming,	Lyons,	Rose,	Yester,
Foor,	Madden,	Rowen,	Young,
Frost,	Madigan,	Royer,	Lichtenwalter,
			Speaker.

NAYS—7

Chervenak,	Davison,	Reese, R. E.,	Yetzer,
Cole,	O'Connor,	Swope,	

NOT VOTING—2

Najaka,	Trout,
---------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 309, as follows:

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees requiring school districts and vocational school districts to make additional payments into the School Employees' Retirement Fund reserving all rights and privileges of employees granted leaves of absence under the provisions herein and superseding or repeal-

ing all contrary laws" by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees requiring school districts and vocational school districts to make additional payments into the School Employees' Retirement Fund reserving all rights and privileges of employees granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" as amended by the act approved the third day of May one thousand nine hundred forty-five (P. L. 415) is hereby further amended to read as follows

Section 3
* * * * *

(e) The school district or vocational school district shall pay into the School Employees' Retirement Fund on behalf of each such employee in addition to the contributions required by law to be made by it the full amount of the contribution required by law to be paid by the employee so that such employee's retirement rights shall in no way be affected by such leave of absence Provided That if any such employee resigns or fails to return to his employment as provided in this act the amount contributed by the school district or vocational school district under this subsection shall be deducted from the refund payable to such employee under existing law and the amount so deducted shall be refunded to the school district by which it was paid In all cases where any part of the salary of any employee is payable to his dependents under the provisions of this act the school district or vocational school district shall deduct from the part of his salary so payable in so far as the same is sufficient therefor all moneys paid by it into the retirement fund on account of the employee's contribution Provided further That if any such employee shall return within one year from the date of his discharge from military service to school service in any other school district or vocational school district within this Commonwealth or as an employee of any institution or board the employees of which are entitled to membership in the School Employees' Retirement Association in accordance with the provisions of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) as amended he shall be entitled to have full credit for each year he spent in military or naval service upon his restoring to the School Employees' Retirement Fund to the credit of the annuity savings account his total accumulated deductions in the amount they should have been at the time he resigned from or failed to return to the school district or vocational school district from which he entered the military or naval service Such back payments may either be paid in a lump sum or by such monthly payroll deductions as may be approved by the School Employees' Retirement Board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
-----------	--------	------------	------

Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Stockham,
Bower,	Gyger,	Mooney,	Stonier,
Breisch,	Hall,	Moore, C. E.,	Stuart,
Brice,	Haller,	Moore, H. A.,	Sorg,
Brown,	Haudenschild,	Morrison,	Sproul,
Brunner,	Helm,	Murray,	Stank,
Bucchin,	Henry,	Myers,	Stimmel,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Naumann,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Dare,	Tittle,
Cochran,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Riley,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 311, as follows:

An Act to amend section four and subsection (a) of section ten of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 816) entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee legatee or appointee under the will of the person slain

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four and subsection (a) of Section ten

of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 816) entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation" is hereby amended to read as follows

Section 4 [The slayer shall be deemed to have predeceased the decedent as to property which would have passed to the slayer by devise or legacy from the decedent and subsections (a) and (b) of section fifteen of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 403) entitled "An act relating to the form execution revocation and interpretation of wills to nuncupative wills to the appointment of testamentary guardians to spendthrift trusts to forfeiture of devise or legacy in case of murder of testator to elections to take under or against wills and to the recording and registering of such elections and of decrees relative thereto and to the fees therefor" shall thereupon apply] Property which would have passed to or for the benefit of the slayer by devise or legacy from the decedent shall be distributed as if he had predeceased the decedent

Section 10 (a) [As to any exercise in the will of the decedent of a power of appointment in favor of the slayer the slayer shall be deemed to have predeceased the decedent and the appointment to have lapsed] Property appointed by the will of the decedent to or for the benefit of the slayer shall be distributed as if the slayer had predeceased the decedent

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Naumann,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,

Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sax,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 318, Printer's No. 81, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 370, as follows:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All charters of incorporation and amendments of articles of incorporation heretofore granted by any of the courts of common pleas of this Commonwealth to applicants for incorporation or for amendments of articles of incorporation under the provisions of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" shall be and the same are hereby validated and confirmed notwithstanding that the articles of incorporation or the amendments of the articles of incorporation or the application for charter or amendments of articles of incorporation as filed and approved by the court did not comply with the provisions of the said act as to the form required Provided however That the papers as filed approved by court and recorded contained all the facts required under the provisions of said act

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenshield,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Reilly, J. M.,	West,
Efenberg,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarra,	Speaker

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 391, as follows:

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting licenses for temporary possession of game or game flesh to be

issued by supervisors or district game protectors and extending such licenses to game birds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (F. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the eighteenth day of July one thousand nine hundred forty-one (P. L. 422) is hereby further amended to read as follows

Section 701 Unlawful Taking Killing Possession Etc of Game Except as otherwise provided in this act it is unlawful for any person to take or kill or wound or attempt to take or kill or wound any game except during the open season or to have in possession either living or dead any game or any part thereof except game lawfully taken during the open season which may be had in possession during the open season thereafter and for sixty days thereafter Provided however That any person upon application to the director or any supervisor or district game protector and the payment of a fee of one dollar (\$1.00) may be issued a permit authorizing the possession of the flesh of a lawfully killed [big] game animal or bird or any part thereof for an additional period not to exceed [four] six months

The burden of proof that game or any part thereof found in possession of any person after the close of the open season was lawfully taken shall be upon the person in whose possession such game or part thereof is found

This section does not prohibit the possession at any time of game killed or taken outside of this Commonwealth or the possession of the tanned or cured skins or any parts thereof of birds or animals not unlawfully killed or the possession of live racoons when lawfully taken during the open season provided the owner thereof applies to the director for a permit within five days after the close of the season which shall be issued without charge

It is unlawful for any person to use any game that has been unlawfully killed or taken or to aid or assist in the taking possessing concealment or transportation of any game unlawfully killed or to have in possession for any purpose whatsoever or conceal the same any game or any part thereof that has been unlawfully killed or taken

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Gooding,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Criffiths,	Morris,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,

Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 419, as follows:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the deed to the purchaser of such land was properly executed and acknowledged but the said county treasurer failed to make a report and return of such sale to the court of common pleas and failed to publish a notice of such report and the said sale was never confirmed by the court as required by law such sale shall not be invalidated by reason of such failure to comply with existing law if in all other respects the laws relating to such sales were fully complied with and all such treasurers' sales are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioners of any county at any such treasurers' sale is hereby declared to be as valid as if such failure to make the aforesaid report and return and confirmation of such sale had not been made Provided however That nothing herein contained shall affect or be applicable to any lands so sold for which action at law or equity are now pending for the purpose of determining title to said lands

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Seamster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelschi,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenshield,	Morrison,	Stoekham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopees,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarrafi,	Speaker.

NAYS—0

NOT VOTING—2

Najaka. Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 433, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township Montgomery County Pennsylvania with the approval of the Governor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon

and to make and execute a deed conveying the following described tract of land situate in Limerick Township Montgomery County Pennsylvania

Beginning at a point in the southerly right of way line of the Main Line of the railroad of Reading Company at the distance of eighty-nine and thirty-two one-hundredths feet (89.32') southwardly from the original center line thereof said point being three hundred fifty-eight and seventy-six one-hundredths feet (358.76') measured South sixty-five degrees nine minutes West (S 65° 09' W) along said southerly right of way line from a rail monument set for a corner said rail monument being about nine hundred seventy feet (970') westwardly from Linfield Station thence through lands of Pennhurst State School Commonwealth of Pennsylvania parallel and concentric with and thirty feet (30') distant from the center line of a proposed railroad side track the five (5) following courses curves and distances (1) South forty-five degrees forty-five minutes West (S 45° 45' W) two hundred forty-six and eighty-three one-hundredths feet (246.83') to a point of curve (2) by a curve to the left having a radius of four hundred twenty feet (420') an arc distance of three hundred sixty-five and seventy-nine one-hundredths feet (365.79') to a point of tangent (3) South four degrees nine minutes East (S 04° 09' E) two hundred forty and eight one-hundredths feet (240.08') to a point of curve (4) by a curve to the right having a radius of four hundred eighty feet (480') an arc distance of seven hundred twenty-eight and eighty-five one-hundredths feet (728.85') to a point of tangent and (5) South eighty-two degrees fifty-one minutes West (S 82° 51' W) four hundred seventy-six and sixty-eight one-hundredths feet (476.68') to a point in the line dividing lands of Pennhurst State School Commonwealth of Pennsylvania from lands of Kinsey Distilling Corporation thence along said dividing line North twenty-one degrees six minutes West (N 21° 06' W) crossing said center line of proposed side track sixty-one and eighty-two one-hundredths feet (61.82') to a point said point being South twenty-one degrees six minutes East (S 21° 06' E) forty-nine and thirty-five one hundredths feet (49.35') from a concrete monument set for a corner in said dividing line thence through lands of Pennhurst State School Commonwealth of Pennsylvania parallel and concentric with and thirty feet (30') distant from said center line of proposed side track the (5) following courses curves and distances (1) North eighty-two degrees fifty-one minutes East (N 82° 51' E) four hundred ninety-one and fifty-eight one-hundredths feet (491.58') to a point of curve (2) by a curve to the left having a radius of four hundred twenty feet (420') an arc distance of six hundred thirty-seven and seventy-four one-hundredths feet (637.74') to a point of tangent (3) North four degrees nine minutes West (N 04° 09' W) two hundred forty and eight one-hundredths feet (240.08') to a point of curve (4) by a curve to the right having a radius of four hundred eighty feet (480') an arc distance of four hundred eighteen and four-one hundredths feet (418.04') to a point of tangent and (5) North forty-five degrees forty-five minutes East (N 45° 45' E) seventy-six and forty-five one hundredths feet (76.45') to a point in the aforementioned southerly right of way line of railroad at the distance of ninety-four and one one-hundredths feet (94.01') southwardly from the original center line thence North sixty-five degrees nine minutes East (N 65° 09' E) along said right of way line recrossing aforementioned center line of proposed side track one hundred eighty and sixty-four one-hundredths feet (180.64') to the point of beginning containing two and six hundred ninety-eight one-thousandths (2.698) acres more or less being part of lands now owned by the Commonwealth and presently used by the Pennhurst State School

Section 2 The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Brelsich,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tolpkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrofsky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Lofus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sax,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 474, as follows:

An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the con-

duct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards and commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof a new clause to read as follows

Section 1304 Professional Education and Licensure The Department of Public Instruction shall have the power and its duty shall be

* * * * *

(1) Unless otherwise provided by law to fix the fees to be charged by the several professional examining boards within the department

Section 2 The act approved the first day of April one thousand nine hundred twenty-five (P. L. 111) entitled "An act authorizing the Department of Public Instruction annually to fix the fees to be charged for the several professional examining boards within the said Department and prescribing the basis upon which such fees shall be fixed" is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,

Baumunk,	Goff	McKinney,	Serrill.
Beech,	Goodling,	McMillen,	Shoemaker.
Bender,	Gorman,	Mihm,	Simons.
Bentzel,	Graybill,	Mikula,	Smith, C. C.
Bloom,	Greenwood.	Miller,	Smith, C. M.
Boies,	Greer.	Mills,	Snider.
Bonawitz	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg.
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenshield,	Morrison,	Stockham.
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart.
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson.
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins.
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan.
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus.
Crowley,	Kelley,	Pickens,	Wagner.
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin.
Davidson,	Kirley,	Price,	Walton.
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krlse,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reilly, W. J.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 477, as follows:

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on coun-

ties" further providing for the mental examination of juvenile delinquents and their release or retention. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" are hereby amended to read as follows

Section 3 When any male person over the age of fifteen years is convicted of crime before any court or is held as a juvenile delinquent by any juvenile court or is detained in any prison industrial school workhouse house of correction penitentiary or any other penal or correctional institution under sentence and such person is in the opinion of the court or the superintendent jail physician or warden of the institution where maintained so mentally defective that he should be cared for and maintained in the Pennsylvania Institution for Defective Delinquents such superintendent physician or warden shall make application upon a form prepared by the Department of Welfare to the court having jurisdiction of the charge against such person which court upon the presentation of such petition or upon its own motion in case of convictions before it or juvenile delinquents appearing before it or upon application of the district attorney the defendant or counsel for the defendant or other person acting for the defendant shall order an inquiry by a psychiatrist and a psychologist or by two qualified physicians [or by psychiatrist] as now provided by law [in case the person has not been sentenced] who shall immediately examine the said person and make written report of its findings to the court If in the opinion of the psychiatrist and psychologist or the physicians [or psychiatrist] the person so committed or convicted or held in mentally defective and has criminal tendencies whether or not coupled with mental instability he or they shall so state in the report of their examination to the court The court may in its discretion summon other witnesses and secure further evidence If the court is then satisfied that the person thought to be mentally defective is not insane nor can be classified as an idiot or imbecile by recognized psychological tests nor a psychopath or an infirm case though in fact mentally defective with criminal tendencies the court shall order the commitment or transfer of such person to the Pennsylvania Institution for Defective Delinquents If any person who has been sentenced and is so committed or transferred shall recover the time during which he was in the Pennsylvania Institution for Defective Delinquents shall be computed as a part of the term for which he was sentenced In case sentence has not been imposed the court shall have power to commit such person to the Pennsylvania Institution for Defective Delinquents in lieu of sentence to a prison workhouse Pennsylvania Industrial School penitentiary or any other penal or correctional institution where required by a relevant act of Assembly or by law and direct the detaining of such defendant in such institution until the further order of the court

Section 4 The expenses of examination including the [fees] fee of the psychiatrist and psychologist or physicians [and psychiatrists] and all costs incident to the commitment transfer to and maintenance of such person in the Pennsylvania Institution for Defective Delinquents shall be borne by the county from which such person was committed

Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger.
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson.
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus.
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	West,
Evans,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wescott,
Elder,	Leisey,	Richter,	Wolf,
Erb,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 516, as follows:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" by adding municipal authorities to the agencies receiving assistance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" is hereby amended to read as follows

Section 1 The sum of three million seven hundred twenty-five thousand dollars (\$3,725,000) or so much thereof as may be necessary is hereby specifically ap-

propriated out of moneys in the General Fund to the Department of Commerce for the two fiscal years beginning the first day of June one thousand nine hundred forty-five to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment. Provided however That no more shall be expended from this item for such purposes or any of them than may be required to match an equal sum contributed by any political subdivision or municipal authority of the Commonwealth or by the Federal Government or by a political subdivision or municipal authority and the Federal Government

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 543, as follows:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any board of school directors shall have heretofore sold any unused and unnecessary lands the sale of which is authorized under provisions of the school laws of the Commonwealth and such board of school directors has received a fair purchase price then such sale shall be valid and binding on the school district and all deeds of conveyance given by the school district for any such lands are hereby ratified confirmed and validated and such purchasers and their respective heirs successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the school district therein notwithstanding the fact that the same was not sold by public auction as provided by law or upon sealed bids requested by the school board or upon a private sale subject to the approval of the court of common pleas as provided by law Provided That such ratification and confirmation shall not relieve the board of school directors in the event of any fraud or improper act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,
Andrews,	Gallagher,	McCosker,
Bane,	Getchey,	McCullough,
Barrett,	Gibson,	McDonald,
Baumunk,	Goff,	McKinney,
Beech,	Goodling,	McMillen,
Bender,	Gorman,	Mihm,
Bentzel,	Graybill,	Mikula,
Bloom,	Greenwood,	Miller,
Boles,	Greer,	Mills,
Bonawitz,	Griffiths,	Mintess,
Boorse,	Guthrie,	Mohr,
Bower,	Gyger,	Mooney,
Brelsch,	Hall,	Moore, C. E.,
Brice,	Haller,	Moore, H. A.,
Brown,	Haudenshield,	Morrison,
Brunner,	Helm,	Murray,
Bucchin,	Henry,	Myers,
Cadwalader,	Hewitt,	Naumann,
Capano,	Hocker,	Needham,
Cassidy,	Hoffman,	Neff,
Chervenak,	Hoopes,	Nelson,
Chudoff,	Horan,	O'Connor,
Clevenger,	Imbt,	O'Dare,
Cochran,	Jennings,	O'Donnell,
Cole,	Johnson,	O'Neill,
Cook,	Johnston,	Orban,
Cooper,	Jones,	Patten,
Cordier,	Jump,	Petrosky,

Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Ehrenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 557, as follows:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil or any petroleum products by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Merger and Consolidation of Pipe Line Companies Authorized It shall and may be lawful for any corporation or corporations formed under the provisions of the act approved the second day of June one thousand eight hundred eighty-three (P. L. 61) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petroleum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes" as amended to construct and operate a pipe line or pipe lines hereinafter designated as domestic pipe line corporations or domestic pipe lines corporations whether operating such pipe line or pipe lines either wholly within or partly within and partly without the Commonwealth under the authority of this or any other state or states and for any corporation or corporations formed under the laws of any other state or states to construct and operate a pipe line or pipe lines to be designated as a foreign pipe line corporation or foreign pipe line corporations in the manner provided in this act to merge into one of such domestic pipe line corporations hereinafter designated as the surviving pipe line corporation or consolidate into a new pipe line corporation to be formed under the laws of this Commonwealth or to emerge into or be consolidated into one of such foreign pipe line corporations hereinafter designated as the surviving or new pipe line corporation to be formed under the law or laws of the jurisdiction under which one of the foreign pipe line corporations was formed provided

the laws of such jurisdiction authorize such merger or consolidation subject to all of the laws of this Commonwealth pertaining thereto and to the rules and regulations of the Pennsylvania Public Utility Commission

Section 2 Approval of Joint Plan to Merger or Consolidation A The board of directors of each of the domestic pipe line corporations which desire to merge or consolidate shall by resolution adopted by at least a majority vote of all the members of each board approve a joint plan of merger or consolidation as the case may be setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect the manner and basis of converting the shares of stock of each corporation into shares of stock or other securities or obligations of the surviving or new corporation as the case may be and such other details and provisions as are deemed necessary

B The board of directors of each domestic pipe line corporation upon approving such plan of merger or plan of consolidation shall by resolution direct that the plan be submitted to a vote of the stockholders of such pipe line corporation entitled to vote thereon at an annual or special meeting of the stockholders Written notice shall not less than ten days before such annual or special meeting be given to each stockholder of record of such pipe line corporation whether or not entitled to vote on such plan unless the plan of merger or plan of consolidation contemplates an increase in the aggregate of the authorized capital stock of the constituent pipe line corporations in which event sixty days' notice of such meeting shall be given to each stockholder The notice shall state the place day hour and purpose of the meeting and a copy or summary of the plan of merger or plan of consolidation as the case may be shall be included in or enclosed with such notice

C The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares of stock entitled to vote thereon of each of the merging or consolidating domestic pipe line corporations unless any class of shares of stock of any of such pipe line corporations is entitled to vote thereon as a class in which event as to such pipe line corporation the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares of stock entitled to vote thereon as a class and the affirmative vote of the holders of at least a majority of all outstanding shares entitled to vote thereon

D The plan of merger or consolidation shall be authorized adopted or approved by each of the foreign pipe line corporations which desire to merge or consolidate in accordance with the laws of the jurisdiction in which it was formed

Section 3 Articles of Merger or Consolidation Upon the approval of the plan of merger or the plan of consolidation by the pipe line corporations desiring to merge or consolidate as provided in the preceding section articles of merger or articles of consolidation as the case may be shall be executed under the seal of each pipe line corporation signed and verified by two duly authorized officers of each pipe line corporation and shall set forth

(a) The name and the location of the registered office of the surviving or new pipe line corporation and the name of the jurisdiction under the laws of which it is or is to be formed

(b) The time and place of the meeting of the stockholders of each domestic pipe line corporation at which the plan of merger or consolidation as the case may be was adopted the kind and period of notice given to the stockholders and the total vote by which the plan was adopted

(c) The fact that the plan of merger or consolidation was authorized adopted or approved as the case may be by each of the foreign pipe line corporations in accordance with the laws of the jurisdiction in which it was formed

(d) Any changes desired to be made in the articles of

the surviving pipe line corporation in the case of a merger or in the case of a consolidation if the new pipe line corporation be a domestic pipe line corporation all of the statements required by this act to be set forth in original articles in the case of the formation of a pipe line corporation

(e) The number names and addresses of the persons to be the first directors of the surviving or new pipe line corporation

(f) The plan of merger or consolidation

(g) If the surviving or new pipe line corporation is to be a foreign pipe line corporation a designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of such pipe line corporation upon whom may be served all lawful process in any action or proceeding against it for enforcement against it of any obligation of any constituent domestic pipe line corporation or any obligation arising from the merger or consolidation proceedings or any action or proceedings to determine and enforce the rights of any stockholder under the provisions of section eight of this act and an agreement that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on such pipe line corporation and that the authority for such service of process shall continue in force as long as any of the aforesaid obligations and rights remain outstanding in this Commonwealth

Section 4 Advertisement The constituent domestic pipe line corporations shall advertise their intentions to file articles of merger or articles of consolidation as the case may be with the Department of State in two newspapers published in the English language one of which shall be a newspaper of general circulation in the county in which the registered office of the surviving or new pipe line corporation is to be located and the other the legal newspaper if any designated by the rules of the court for the publication of legal notices otherwise in two newspapers of general circulation published in the county in which the registered office of the surviving or new pipe line corporation is to be located Where there is but one newspaper of general circulation published in any county advertisement in such newspaper shall be sufficient Advertisements shall appear at least three days prior to the day on which the articles of merger or articles of consolidation are presented to the Department of State and shall set forth briefly

(a) The name and the location of the registered office of each of the pipe line corporations intending to merge or consolidate

(b) The name and the location of the proposed registered office of the surviving or new pipe line corporation and the name of the jurisdiction under the laws of which it is or is to be formed

(c) A statement that the articles of merger or consolidation are to be filed under the provisions of this act

(d) The purpose or purposes of the surviving or new pipe line corporation

(e) The time when the articles of merger or consolidation will be delivered to the Department of State

Section 5 Filing of Articles of Merger or Consolidation The articles of merger or articles of consolidation as the case may be and proof of the advertisement required by the preceding section and a certificate or certificates from the proper department or departments evidencing payment by the pipe line corporation of all bonus taxes and charges as required by law shall be delivered to the Department of State If the Department of State finds that such articles have been approved by the Pennsylvania Public Utility Commission and conform to law and that the certificate or certificates evidencing payment of bonus or taxes or charges delivered therewith is in proper form it shall upon payment of the filing fee forthwith not prior to the day specified in the advertisement required by the preceding section endorse its approval thereon and file the articles and issue to the surviving or new pipe line corporation or its representatives a certificate of merger or a certificate of consolidation as the case may be to which shall be attached a copy of the approved articles

Section 6 Effective Date of Merger or Consolidation Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State the merger or consolidation shall be effective. The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving pipe line corporation except as against the Commonwealth. The merger or consolidation of one or more domestic pipe line corporations into a foreign pipe line corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign pipe line corporation was formed but not until articles of merger or articles of consolidation have been adopted and filed as heretofore provided in this act.

Section 7 Effect of Merger or Consolidation Upon the merger or consolidation becoming effective the several pipe line corporations parties to the plan of merger or consolidation shall be a single pipe line corporation which in the case of a merger shall be that pipe line corporation designated in the plan of merger as the surviving pipe line corporation and in the case of a consolidation shall be the new pipe line corporation provided for in the plan of consolidation and which shall have all of the rights and powers of a pipe line corporation as provided by the laws of this Commonwealth including the power of eminent domain. The separate existence of all pipe line corporations parties to the plan of merger or consolidation shall cease except that of the surviving pipe line corporation in the case of a merger. The surviving or new pipe line corporation as the case may be if it be a domestic pipe line corporation shall not thereby acquire authority to engage in any business or exercise any right which a pipe line corporation may not be formed to engage in or exercise. All the property real personal and mixed of each of the pipe line corporations parties to the plan of merger or consolidation and all debts due on whatever account to any of them including subscriptions to shares of stock and other choses in action belonging to any of them shall be taken and deemed to be transferred to and vested in the surviving or new pipe line corporation as the case may be without further act or deed. The surviving or new pipe line corporation shall thenceforth be responsible for all the liabilities and obligations of each of the pipe line corporations so merged or consolidated but the liabilities of the merging or consolidating pipe line corporations or of their stockholders directors or officers shall not be affected nor shall the rights of the creditors thereof or of any persons dealing with such pipe line corporations or any liens upon the property of such pipe line corporations be impaired by such merger or consolidation and any claim existing or action or proceeding pending by or against any of such pipe line corporations may be prosecuted to judgment as if such merger or consolidation had not taken place or the surviving or new pipe line corporation may be proceeded against or substituted in its place. In the case of a merger the articles of incorporation of the surviving pipe line corporation shall be deemed to be amended to the extent if any that changes in its articles are stated in the articles of merger and in the case of a consolidation the statements which are set forth in the articles of consolidation and if the new pipe line corporation be a domestic pipe line corporation which are required or permitted to be set forth in the articles of incorporation of pipe line corporations formed under the laws of this Commonwealth shall be deemed to be the articles of incorporation of the new pipeline corporation. The aggregate amount of the net assets of the merging or consolidating pipe line corporations which was available for the payment of dividends immediately prior to such merger or consolidation to the extent that the value thereof is not transferred to stated capital by the issuance of shares of stock or otherwise shall continue to be available for the payment of dividends by such surviving or new pipe line corporation.

Section 8 Rights of Dissenting Stockholder A If any stockholder of a domestic pipe line corporation which

becomes a party to a plan of merger or consolidation shall file with such pipe line corporation prior to or at the meeting of stockholders at which the plan of merger or consolidation is submitted to a vote a written objection to such plan of merger or consolidation and shall not vote in favor thereof and such stockholder within twenty days after the merger or consolidation was affected shall also make written demand on the surviving or new pipe line corporation for the payment of the fair value of his shares of stock as of the day prior to the date on which the vote was taken approving the merger or consolidation without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation the surviving or new pipe line corporation shall pay to such stockholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the stockholder shall state the number and class of the shares owned by him. Unless a stockholder files such written objection and also makes such demand within the twenty day period he shall be conclusively presumed to have consented to the merger or consolidation and shall be bound by the terms thereof. If within thirty days after the date on which such merger or consolidation was effected the value of such shares shall be agreed upon between the dissenting stockholder and the surviving or new pipe line corporation payment thereof shall be made in cash within ninety days after the date on which such merger or consolidation was effected upon the surrender of the stock certificate or certificates representing his shares. Upon payment of the agreed value the dissenting stockholder shall cease to have any interest in such shares or in the pipe line corporations.

B If within such period of thirty days the stockholder and the surviving or new pipe line corporation do not so agree then the dissenting stockholder may within sixty days after the expiration of the thirty-day period apply by petition to the court of common pleas in equity within the county in which the registered office of the surviving or new pipe line corporation is situated if it be a domestic pipe line corporation or if it be a foreign pipe line corporation to the court of common pleas in equity within the county in which was situated the registered office of the foreign pipe line corporation of which such petitioner was a stockholder which shall be deemed to be the county in which the cause of action of such petitioner arose and all process in such proceeding shall be served upon the surviving or new foreign pipe line corporation in the manner provided by law in such cases for the appointment by the court of three disinterested persons to appraise the fair value of his shares of stock without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The award of the appraisers or of a majority of them shall be submitted to the court for determination and the judgment of the court thereon shall be final and conclusive. The cost of such appraisal including a reasonable fee to the appraisers shall be fixed by the court and shall be borne by the surviving or new pipe line corporation unless in the opinion of the court the action of any stockholder in refusing the offer of the pipe line corporation has been arbitrary vexatious or in bad faith in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with the surrender to the surviving or new pipe line corporation of the stock certificate or certificates representing the shares of the dissenting stockholder. If the award shall not be paid by the surviving or new pipe line corporation within thirty days after the order of the court thereon the amount of the award shall be a judgment against the surviving or new pipe line corporation as the case may be and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment the dissenting stockholder shall cease to have any interest in such shares or in the surviving or new pipe line corporation. Such shares may be held and disposed of by the surviving or new pipe line corporation as it may see fit. Unless the dissenting stockholder shall file a petition within the time herein limited such stockholder and all persons

claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, can anyone inform me as to the exact purpose of this bill; what it is intended to accomplish and why. I am not opposed to the bill; I simply don't know what it is all about.

Mr. SORG. Mr. Speaker, as I understand, under the present provisions of the law where there may be a uniting of certain utilities, whether it be within this state or across state lines, it is not permitted under the present law to merge or to consolidate for the sake of efficiency. This bill will provide the legal right to accomplish that purpose.

Mr. COLE. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, if this bill passes would it allow the transportation of natural gas through the Big and Little Inch pipelines?

Mr. SORG. Mr. Speaker, I understand that this bill does not apply to that particular type of utility service.

Mr. COLE. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schauster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Mooney,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Rago,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,

Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flah,	Lovett,	Root,	Yester,
Flss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 612, as follows:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" prescribing further rules regulations and requirements for the construction of plumbing house drainage and cesspools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections twenty-seven and forty-five of the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended "An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof" as amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 168) are hereby further amended to read as follows

Section 27 Joints in cast-iron pipes and soil and waste-pipes must be so filled with oakum and lead and hand caulked as to make them gastight Connections of lead and cast-iron pipes must be made with brass sleeve or ferrule of the same size as the lead pipe inserted in the hub of the iron pipe and caulked with lead The lead pipe must be attached to the ferrule by wiped joint Joints between lead and wrought-iron pipes must be made with brass nipple of same size as lead pipe The lead pipe must be attached to the nipple by wiped joint All connections of lead waste pipe must be made by means of wiped joints All connections for brass or copper pipe (which shall be full iron pipe size and weight) shall be screw joints properly secured All connections for type K copper pipe shall be sweated or soldered

Section 45 All earthenware traps must have heavy brass floor plates soldered to the lead bends and bolted to the trap flange [and the joint made permanently secure and gas-tight Iron closet bends and flanges are permissible on ground floors only where settlement is not likely to affect them] or must have heavy cast-iron floor plates caulked to cast-iron bends and bolted to the trap flange and the joint made permanently secure and gas-tight

Section 2 Said act is hereby amended by adding after section twenty-seven thereof a new section to read as follows

Section 27.1 Waste-pipe of two inches or under may be of lead cast-iron brass or copper (of full iron pipe size and weight) or type K copper pipe

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boies,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stonier,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Needham,	Swope,
Capano,	Hocker,	Naumann,	Tahl,
Cassidy,	Hoffman,	Neff,	Tittle,
Chervenak,	Hoopes,	Nelson,	Thomassey,
Chudoff,	Horan,	O'Connor,	Thompson,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Probert,	Walton,
De Long,	Kline,	Price,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The bill having been called up from the postponed calendar by Mrs. McCOSKER.

The House resumed the consideration on third reading of House Bill No. 869, as follows:

An Act to further amend section twenty-five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act" providing for payment of certain salaries by the State without including the same in computing cost of maintaining inmates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1311) entitled "An act providing for the establishment of a State Industrial Home for Women authorizing the purchase of a site and the erection thereon and equipment of necessary buildings providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense and providing for the government and management of said institution and making an appropriation to carry out the purposes of this act" as amended by the act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 698) is hereby further amended to read as follows

Section 25 The duly authorized agent of the Department of Revenue shall cause to be kept an account of the expense of the support and maintenance of each person committed to the Industrial Home with the county from which she was sent and bills for such expense for each calendar month shall be forwarded by said agents promptly after the last day of such month to the commissioners of the proper county together with an order payable to the Department of Revenue drawn on the county treasurer of the proper county and it shall be the duty of the county treasurer to pay promptly the amount due on said account to the Department of Revenue to be by it transmitted to the State Treasury Provided That the aforesaid bill and order rendered as of the thirty-first day of July one thousand nine hundred twenty-nine shall include all amounts due the Commonwealth from the counties which shall have accrued since the last prior billing of the counties by the board of trustees of the said Industrial Home for Women And Provided also That all salaries of the Superintendent her deputies and assistants the guards and other officers engaged in managing the said Industrial Home for Women or holding positions of authority over the inmates therein shall be paid by the State and shall not be included in computing the cost of keeping the inmates in said Industrial Home for Women

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mihm,	Simons,
Bentzel,	Graybill,	Mikula,	Smith, C. C.,
Bloom,	Greenwood,	Miller,	Smith, C. M.,
Boles,	Greer,	Mills,	Snider,
Bonawitz,	Griffiths,	Mintess,	Sollenberger,
Boorse,	Guthrie,	Mohr,	Sorg,
Bower,	Gyger,	Mooney,	Sproul,
Breisch,	Hall,	Moore, C. E.,	Stank,
Brice,	Haller,	Moore, H. A.,	Stimmel,
Brown,	Haudenschild,	Morrison,	Stockham,
Brunner,	Helm,	Murray,	Stonier,
Bucchin,	Henry,	Myers,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tomokins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Resgan,	Weidner,
Dlx,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Lauchner,	Reese R. E.,	Wescott,
Efenberg,	Layer,	Relliv, J. M.,	West,
Elder,	Lee,	Relliv, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Medican,	Rover,	Lichtenwalter,
Foor,	Mazza,	Sarraf,	Speaker

NAYS—0

NOT VOTING—2

Najaka, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered: That the Clerk present the same to the Senate for concurrence.

HOUSE RESOLUTION No. 34

Mr. CORDIER. Mr. Speaker, I desire to call up House Resolution No. 34, Printer's No. 567 on page 31 of today's calendar.

The resolution was read as follows:

In the House of Representatives, March 31, 1947.

Whereas, The taxpayers of this state and Nation have spent upwards of five million dollars to plan and construct the Scranton and Wilkes-Barre Airport soon to be opened; and

Whereas, It is widely known in aviation circles that the excellent planning and development of this air field

has made it a very-important link in the potential civil and military air transportation pattern of the north-eastern part of our country; and

Whereas Field examiners for the Civil Aeronautics Board recently recommended to the full Board that all applications made by major airlines to serve the Scranton-Wilkes-Barre Airport be rejected and that small untied air service groups be permitted to provide air transportation to and from the Nation's 19th largest metropolitan area and

Whereas, The people of northeastern Pennsylvania under the proposed recommendations in addition to the denial of major air line service will be without direct air transportation to such important business and government areas as Harrisburg, our State Capital, Washington, our National Capital, New England, the Midwest, the West, and the South; and

Whereas, The confirmation of the field examiners' recommendations by the Civil Aeronautics Board proper will have a further bad effect on the employment rehabilitation of northeastern Pennsylvania, and will deny to Pennsylvania's outstanding all-weather airport its rightful place in ascending civil air traffic in this country; therefore, be it

Resolved by this House of Representatives that it is the opinion of the membership of the House that the recommendation of the field examiners should not be accepted by the Civil Aeronautics Board and be it further

Resolved That the Pennsylvania Aeronautics Commission give its support and cooperation in the effort of the people of N E Pennsylvania to have the recommendation of the field examiners disapproved

On the question,

Will the House adopt the resolution?

Mr. CORDIER. Mr. Speaker, I desire to offer the following amendments:

Amend 4th Preamble, page 2, line 7 from top of page, by striking out the word "Capital" and inserting in lieu thereof "Capitol".

Amend 1st Resolve Clause, page 2, line 2, by striking out the word "thf" and inserting in lieu thereof "the".

Amend 1st Resolve Clause, page 2, line 5, by striking out the part-word "matics" and inserting in lieu thereof "nautics".

Amend 2nd Resolve Clause, page 3, line 3, by striking out the following: "N. E. Pennsylvania" and inserting in lieu thereof "Northeastern Pennsylvania".

Amend 2nd Resolve Clause, page 3, line 5, by striking out the word "disapproved" and inserting in lieu thereof "disapproved".

On the question,

Will the House agree to the amendments?

They were agreed to.

The resolution as amended was laid over for printing.

ANNOUNCEMENT

The SPEAKER. The Chair would announce that there will be a very important Republican Caucus immediately upon adjournment in the New House Caucus Room.

REPORTS FROM COMMITTEES

Mr. HOFFMAN from the Committee on Education, reported as amended, House Bill No. 417, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that

are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents and district superintendents; and providing for reimbursement by the Commonwealth; and repealing certain provisions of said act.

Mr. BOWER from the Committee on Labor Relations, re-reported as amended, House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry; prescribing penalties.

Mr. BOWER from the Committee on Labor Relations, re-reported as amended, House Bill No. 826, entitled:

An Act relating to strikes by public employes, prohibiting such strikes, providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board.

Mr. BOWER from the Committee on Labor Relations, re-reported as committed, House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry; imposing powers and duties on the department relative thereto and providing penalties.

Mr. BOWER from the Committee on Labor Relations, re-reported as amended, House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers; including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," declaring certain additional labor practices by employes to be unfair.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1046.

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 2, line 6 by striking out after the word "labels" the words "signs and advertisements". Amend section 2, page 3, line 5, by inserting after the heavy bracket the word "State"; page 3, line 9 by striking out after the word "labels" the words "signs and advertisements"; page 3, after line 17, by inserting "Section 2 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED AND REFERRED

By Messrs. WATSON and CLARENCE M. SMITH.

HOUSE BILL No. 1336.

An Act making an appropriation to the Berean Manual Training School, at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

Referred to the Committee on Appropriations.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 80.

An Act declaring and adopting the song "Pennsylvania" by a Pennsylvanian, Gertrude Martin Rohrer, as the State song of the Commonwealth.

Referred to the Committee on State Government.

SENATE BILL No. 202.

An Act to further amend section two thousand three hundred twenty of the act, approved, the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, com-

missions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined." increasing amount of money available for treatment of blind persons in certain cases and empowering the State Council for the Blind to supply certain medical, training and employment services to certain blind persons.

Referred to the Committee on State Government.

SENATE BILL No. 219.

An Act to add section eight hundred twelve to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that where members of a political party are appointed or elected to represent the members of such party in an election district, said members shall constitute a political committee for such district.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 415.

An Act to amend sections 501 and 502 of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and

regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by excluding water supply companies from the requirements of original cost accounting.

Referred to the Committee on Public Utilities.

SENATE BILL No. 438.

An Act to further amend section fourteen of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

Referred to the Committee on State Government.

COMMITTEE MEETINGS

Appropriations, Room No. 246, Wednesday, May 14, 1947, at 12:30 Noon, D. S. T.

Cities—Third Class, Room No. 521, Wednesday, May 14, 1947, at 10 a. m., D. S. T.

Municipal Corporations, Room No. 521, Wednesday, May 14, 1947, at 10:30 a. m., D. S. T.

State Government, Room No. 324, Wednesday, May 14, 1947, at 11 a. m., D. S. T.

ADJOURNMENT

Mr. WESTCOTT. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 14, 1947, at 12:00 noon, Eastern Standard Time.

The motion was agreed to, and (at 3:45 p. m. EST) the House adjourned.

ERRATUM

The Legislative Journal, number 17, Monday, February 24, at page 456, under Bills Signed by Speaker, Senate Bill No. 2 should read Senate Bill No. 50.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., WEDNESDAY, MAY 14, 1947.

No. 56.

SENATE

WEDNESDAY, May 14, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the gentleman from Berks, Dr. RUTH:

In the name of the Father and of the Son and of the Holy Ghost, Our Heavenly Father, we thank Thee for this new day of service and opportunity and may we give to Thee and to our fellow-men the best that we have. We thank Thee for the happy memories that linger with us from last Sunday when we celebrated Mother's Day. We praise Thee that Thou hast given us that great gift of motherhood and we pray that through Thy Spirit we may fulfill the hopes and dreams that they had when we lay in their arms as infants, that we may help to make this world a place where motherhood and childhood shall have all that Thou dost desire for them.

Bless us in the service we are endeavoring to render to them here in this legislative body, that the days ahead may be days of peace and love and harmony for all peoples.

We ask it in Thy Holy Name. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WAGNER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. STIEFEL asked and obtained leave of absence for himself for tomorrow.

PERRY COUNTY COUNCIL OF REPUBLICAN WOMEN INTRODUCED TO SENATE

Mr. WADE. Mr. President, we are honored today by a visit from a very lovely group of ladies from the Perry County Council of Republican Women, who are accompanied by a former member of the House, Honorable Amos L. Gelnett.

The PRESIDENT. The Chair is very happy to welcome to the Senate the members of the Council of Republican Women from Perry County and hope they enjoy the session today.

The Chair understands there are members of other Republican Councils present and also is glad to welcome them to this session.

MEMBERS OF QUOTA CLUB OF ALLENTOWN INTRODUCED TO SENATE

Mr. TALLMAN. Mr. President, I call to the attention of the Senate and present members of the Quota Club of Allentown, seated on the right.

The PRESIDENT. On behalf of the Senators the Chair welcomes to the Senate the members of the Quota Club of Allentown and hopes they will enjoy their visit with us today.

POLITICAL SCIENCE CLASS, PENN STATE UNDER- GRADUATE CENTER, POTTSVILLE, INTRODUCED TO SENATE

Mr. RUTH. Mr. President and gentlemen of the Senate, I desire to present to the Senate the Political Science Class of the Penn State Undergraduate Center at Pottsville, under the leadership of Professor Snyder.

This class is from the district of my colleague, Senator Wagner, but I feel it an honor to introduce them because my son is a member of that class.

The PRESIDENT. On behalf of the members of the Senate, the Chair extends welcome to the members of the political science class of the Penn State Undergraduate Center at Pottsville and hopes they will be enlightened on legislation they are interested in and that they will enjoy their visit with us today.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 14, 1947.

Mr. BLASS. Mr. President, I second the motion.
The motion was agreed to.
The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1947.
To the Honorable, the Senate of the Commonwealth of
Pennsylvania:

In conformity with law, I have the honor hereby to
nominate for the advice and consent of the Senate the
following persons for appointment as Notaries Public, for
terms of four years to compute from the date of con-
firmation:

ALLEGHENY COUNTY

M. R. Armstrong, Pittsburgh, 1239 Gulf Bldg. (19).

BUTLER COUNTY

Wallace McKitten, Butler Twp., Star Route, Butler.

CAMBRIA COUNTY

F. M. Farabaugh, Carrollton.

LEHIGH COUNTY

Miss Irene I. Nonnemaker, Bethlehem.

PHILADELPHIA COUNTY

Adolph Rosset, Phila., 3111 W. Diamond St. (21).
Charles Sterne, Jr., Phila., 220 S. 4th St. (6).

VENANGO COUNTY

Charles L. McMillen, Oil City.

JAMES H. DUFF

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. BLASS,
That the Senate do advise and consent to said nomina-
tions.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the pro-
visions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

Two-thirds of all the Senators having voted "aye" the
question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being in-

roduced presented for concurrence bills of the House
as follows:

House Bill No. 83, entitled:

An Act to further amend subsection (a) of section six
hundred fourteen of the act, approved the first day of
May, one thousand nine hundred twenty-nine (P. L. 905),
entitled "Vehicle Code" by providing for the compulsory
permanent revocation of operator's license on second con-
viction of operating a motor vehicle while under the
influence of intoxicating liquor or narcotic or habit form-
ing drug.

Which was committed to the Committee on Judiciary
General.

House Bill No. 125, entitled:

An Act to amend subsection fourteen of section one
thousand two hundred nine point one of the act, approved
the eighteenth day of May, one thousand nine hundred
eleven (P. L. 309), entitled "Public School Code" per-
mitting boards of school directors to grant temporary in-
creases in salaries from time to time.

Which was committed to the Committee on Education

House Bill No. 305, entitled:

An Act to reenact and further amend section one of
the act, approved the second day of June, one thousand
eight hundred and ninety-one (P. L. 176), entitled
"Anthracite Coal Mining Law," requiring mine inspectors
to inspect mines where from two to five persons are
employed or engaged in work; providing for the correction
of unsafe conditions in and unsafe operation of such
mines, and for remedies to close such mines until such
conditions are corrected; and providing penalties.

Which was committed to the Committee on Mines and
Mining.

House Bill No. 454, entitled:

An Act to amend the reading of Article III, and to
amend, or further amend, sections three hundred two
three hundred three, three hundred five, three hundred
six, three hundred eight, three hundred nine, three hun-
dred ten, three hundred eleven, three hundred twelve
three hundred thirteen, three hundred fourteen, three
hundred fifteen, three hundred eighteen, three hundred
nineteen and three hundred twenty-one, of the act ap-
proved the third day of June, one thousand nine hundred
thirty-seven (P. L. 1225), entitled "The Game Law," by
establishing a new schedule of resident and nonresident
licenses and fees; fixing a termination date for the issuance
of free resident licenses to military personnel; authorizing
seizure of licenses of persons mentally or physically in-
capable of handling firearms safely; and changing penalti-
ties.

Which was committed to the Committee on Forests and
Waters, Game and Fish.

House Bill No. 477, entitled:

An Act to further amend section fifteen and to add
section fifteen point one to the act, approved the eleventh
day of May, one thousand nine hundred twenty-one
(P. L. 522), entitled, as amended, "Dog Law of 1921
authorizing county treasurers to retain certain money
collected under said act and the payment thereof to cer-
tain societies for prevention of cruelty to animals, upon
petition to and under supervision of the courts of com-
mons, and providing for the disposition of unexpended
funds.

Which was committed to the Committee on Agriculture

House Bill No. 478, entitled:

An Act to add section fifteen point one to the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 818), entitled "An act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, and on city councils of cities of the first and second class; and providing penalties," authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

Which was committed to the Committee on Agriculture.

House Bill No. 522, entitled:

An Act to amend section eight hundred one of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by allowing the merger and consolidation of domestic and foreign nonprofit corporations.

Which was committed to the Committee on Judiciary General.

House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts.

Which was committed to the Committee on Appropriations.

House Bill No. 869, entitled:

An Act to further amend section twenty-five of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1311), entitled "An act providing for the establishment of a State Industrial Home for Women; authorizing the purchase of a site and the erection thereon and equipment of necessary buildings; providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty-five years, convicted of, or pleading guilty to, the commission of any criminal offenses; and providing for the government and management of said institution; and making an appropriation to carry out the purposes of this act," providing for payment of certain salaries by the State, without including the same in computing cost of maintaining inmates.

Which was committed to the Committee on State Government.

House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Which was committed to the Committee on Appropriations.

House Bill No. 1043, entitled:

An Act to amend the second paragraph of section two of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled

"An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs in the interest of public health," prohibiting sales of inhalers at retail.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1111, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further defining "Dealers" and "Owner"; changing certain fees; further regulating the registration, titling, equipment, license plates and size of certain vehicles, and the licensing of operators; prescribing additional enforcement and penal provisions.

Which was committed to the Committee on Highways.

House Bill No. 1159, entitled:

An Act to further amend sections one hundred two and seven hundred sixteen of the act, approved the first day of May one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the definition of "dealer" and adding the definition of "fleet owner"; and further providing for fees for certificates of title.

Which was committed to the Committee on Highways.

AMENDMENT TO HOUSE BILL NO. 1148 RECALLED FROM THE GOVERNOR

He also presented for concurrence House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," further regulating the pledge of assets for deposits.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

RULE 21 SUSPENDED

Mr. BARR. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and that the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. TALLMAN. Mr. President, I second the motion. The motion was agreed to.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," further regulating the pledge of assets for deposits.

The Clerk read the amendment as follows:

Amend sec. 1 (Sec. 1004), page 4, line 4, by inserting after the part word "monwealth" the following: "and such other funds for which such political subdivisions, or any

officer or duly authorized employe thereof, shall act as custodian or trustee."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGES

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1046

The Clerk of the House of Representatives being introduced, informed the Senate that the House has non-concurred in the amendments made by the Senate to House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity "regulating the use of a corporate title in applying for a pharmacy permit and its use on labels signs and advertisements.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1046

Mr. TALLMAN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 1046.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 231 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 231, entitled:

An Act to amend the title and Section 1 of the act approved the sixteenth day of May, one thousand nine hundred and forty-five (P. L. 594, Number 249), entitled "An act authorizing and empowering any corporation for

profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders; and ratifying certain contributions," by removing certain limitations upon the power of corporations to make contributions for charitable purposes.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Te PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 557 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL No. 114

He also returned to the Senate, Senate Bill No. 114, entitled:

An Act to amend section six of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (App. Act, page 40), entitled "An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly, to make a thorough and impartial study, to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions, and an equitable basis for State aid to local governments for highway purposes; authorizing consultation with research organizations of recognized national standing; and defining its powers and duties," extending provisions thereof until next regular Session of the General Assembly.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 194

He also returned to the Senate, Senate Bill No. 194, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 232

He also returned to the Senate, Senate Bill No. 232, entitled:

An Act to amend subsection sixteen of section three hundred two of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 250

He also returned to the Senate, Senate Bill No. 250, entitled:

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 282

He also returned to the Senate, Senate Bill No. 282, entitled:

An Act to amend article IX of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 457), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by authorizing building and loan associations to grant chattel mortgages in certain cases.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 289

He also returned to the Senate, Senate Bill No. 289, entitled:

An Act to further amend sections four hundred ten and four hundred eleven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto," by providing an alternate method for marking boundary lines of regulated shooting grounds and authorizing fixing of shooting periods thereon under certain conditions.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 309

He also returned to the Senate, Senate Bill No. 309, entitled:

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in contributions and grants to local school boards eligibility places of such employees requiring school districts and vocational school districts to make additional payments rights and privileges of employees granted leaves of absence into the School Employees' Retirement Fund reserving all sense under the provisions herein and superseding or repealing all contrary laws" by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 311

He also returned to the Senate, Senate Bill No. 311, entitled:

An Act to amend section four and subsection (a) of Section ten of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 816), entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee, legatee, or appointee under the will of the person slain.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 370

He also returned to the Senate, Senate Bill No. 370, entitled:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 391

He also returned to the Senate, Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating the law relating thereto" permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 419

He also returned to the Senate, Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 433

He also returned to the Senate, Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 474

He also returned to the Senate, Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled: "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 477

He also returned to the Senate, Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority,

and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the tion and discharge therefrom; conferring powers and imcommitment and transfer of such persons to such institutposing duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 515

He also returned to the Senate, Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails of this State and regulations governing the same" changing the day on which monthly reports shall be forwarded to the Governor.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 516

He also returned to the Senate, Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Act No. 85-A page 61) entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" by adding municipal authorities to the agencies receiving assistance

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 543

He also returned to the Senate, Senate Bill No. 543, entitled:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 612

He also returned to the Senate, Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 114, entitled:

An Act to amend section six of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (App. Act, page 40), entitled "An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly, to make a thorough and impartial study, to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions, and an equitable basis for State aid to local governments for highway purposes; authorizing consultation with research organizations of recognized national standing; and defining its powers and duties, extending provisions thereof until next regular Session of the General Assembly.

Senate Bill No. 194, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

Senate Bill No. 232, entitled:

An Act to amend Subsection 16 of Section 302 of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes.

Senate Bill No. 250, entitled:

An Act permitting certain personnel, of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases.

Senate Bill No. 282, entitled:

An Act to amend article IX of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 57), entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such association, and of their officers, directors, shareholders,

solicitors, and other employees; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," by authorizing building and loan associations to grant chattel mortgages in certain cases.

Senate Bill No. 289, entitled:

An Act to further amend Sections four hundred ten and four hundred eleven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto", by providing an alternate method for marking boundary lines of regulated shooting grounds; and authorizing fixing of shooting periods thereon under certain conditions.

Senate Bill No. 309, entitled:

An Act to further amend subsection (e) of section three of the act approved the first day of August, one thousand nine hundred forty-one (P. L. 744), entitled "An act requiring school boards in all school districts and board of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency; preserving certain contracts, salaries, increments, retirement rights, seniority, State contributions and grants to local school boards, eligibility lists, reemployment; authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees; requiring school districts and vocational school districts to make additional payments into the School Employees' Retirement Fund; reserving all rights and privileges of employees granted leaves of absence under the provisions herein, and superceding or repealing all contrary laws" by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service.

Senate Bill No. 311, entitled:

An Act to amend section four and subsection (a) of Section ten of the Act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 816) entitled "An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee, legatee, or appointee under the will of the person slain.

Senate Bill No. 370, entitled:

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

Senate Bill No. 391, entitled:

An Act to further amend section seven hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds.

Senate Bill No. 419, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

Senate Bill No. 433, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

Senate Bill No. 474, entitled:

An Act to add clause (1) to section one thousand three hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards.

Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

Senate Bill No. 515, entitled:

An Act to amend section three of the act approved the eleventh day of May, one thousand nine hundred one (P. L. 166), entitled "An act providing for the commutation of sentences, for good behavior of convicts in prisons, penitentiaries, workhouses and county jails of this State, and regulations governing the same," changing the day on which monthly reports shall be forwarded to the Governor.

Senate Bill No. 516, entitled:

An Act to amend section one of the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled "An act

making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics" by adding municipal authorities to the agencies receiving assistance.

Senate Bill No. 543, entitled:

An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

Senate Bill No. 612, entitled:

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. LETZLER, from the Committee on Education, reported as committed, Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

He also from the Committee on Highways, reported as committed, House Bill No. 336, entitled:

An Act to further amend section two hundred three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous re-

ceipts; making an appropriation and providing for refunds," by further changing the provisions of the act relating to the titling of commercial motor vehicles.

Mr. WALKER. May I say, Mr. President, that these are three bills forming part of a program to bring into veterans' statutory privileges two organizations of veterans arriving from the Second World War, the Amvets and the Marine Corps League. Speaking on behalf of the old soldiers of Pennsylvania, we want to welcome these two new organizations into the privileged class.

Mr. WALKER, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 485, entitled:

An act to add section five hundred twenty-six to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or teachers colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commission; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," providing for the purchase, maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission, for official use and for the payment of charges therefor into the Motor License Fund; and appropriating the same to the Pennsylvania Aeronautics Commission.

He also from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 26, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes

He also from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 25, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports

Mr. CROWE, from the Committee on Highways, reported as committed, House Bill No. 428, entitled:

An Act to amend sections two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation

He also from the Committee on Education reported as committed, House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the teaching of safe driving of automobiles.

He also from the Committee on Education reported as committed, Senate Bill No. 359, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drugs" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by further defining the term "pharmacy"; and further regulating the registration of certain persons.

BILL RE-REFERRED

Mr. CROWE, from the Committee on Education, reported as committed, Senate Bill No. 706, entitled:

An Act establishing in the public school system of the Commonwealth a uniform standard program of motor vehicle driver-training under the supervision of the Department of Public Instruction prescribing the type and character of assistance which may be supplied to the local school districts therefore defining the duties and requirements of the local school districts in obtaining such assistance and making an appropriation.

which was re-referred to the Committee on Appropriations.

Mr. DONLAN, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 727, entitled:

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of

such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

Mr. T. NEWELL WOOD, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 461, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative offices, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by allowing State airports to be leased for periods not to exceed five years.

Mr. WOLFE, from the Committee on Highways, reported as amended, Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," providing for the sharing of the payment of the damages for changes of width, lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages

He also, from the Committee on Highways, reported as committed, Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including, liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that the records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," temporarily extending the suspension of the provisions thereof.

Mr. BECKER, from the Committee on Education, reported as amended, Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

Mr. CRIDER, from the Committee on Highways, reported as committed, House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highway public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

Mr. WADE, from the Committee on Highways, reported as committed, House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred twenty-nine, (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

Mr. WAGNER, from the Committee on Education, reported as committed, House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

He also, from the Committee on Education, reported as amended, Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary, secondary and voca-

ional schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands.

Mr. BERGER, from the Committee on Education, reported as amended, Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic, with power to construct, improve and operate projects, and to lease the same; and to fix and collect fees, rentals and charges for the use hereof; authorizing and regulating the issuance of bonds by said authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

He also, from the Committee on Public Health and Welfare, reported as amended, Senate Bill No. 707, entitled:

An Act relating to boarding houses for children; providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance, operation and conduct thereof, by the Department of Welfare; defining offenses and prescribing penalties and making an appropriation.

Mr. CARR, from the Committee on Education, reported as committed, Senate Bill No. 555, entitled:

An Act to add section one thousand two hundred sixty-four to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements.

He also, from the Committee on Education, reported as committed, Senate Bill No. 56, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the appointment of assistant county superintendents.

Mr. KEPHART, from the Committee on Highways, reported as committed, Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the Secretary of Highways to file copies of plans for highway purposes, and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located; and requiring recorders of deeds to maintain books and indices for such purposes.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 546, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by further providing for the erection and maintenance of traffic signals the record of, magistrates, and the disposition of certain fines and penalties.

Mr. KEPHART. Mr. President, I would like to call to the attention of the Chair the fact that the name of the sponsor is mis-spelled in Senate Bill 546.

Mr. BLASS, from the Committee on Highways, reported as committed, Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over, by the Secretary of Highways with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction reconstruction and maintenance at the expense of the Commonwealth, and making an appropriation.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highway and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities, and towns and extending to the State line. Describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein

providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways, and providing for the construction and maintenance at the expense of the Commonwealth.

Mr. HARE, from the Committee on Education, reported as committed, House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriation by first class school districts in certain cases.

He also, from the Committee on Education, reported as committed, Senate Bill No. 272, entitled:

An Act to further amend section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," increasing the period before which temporary professional employees may become professional employees.

He also, from the Committee on Education, re-reported as committed, Senate Bill No. 166, entitled:

An Act to amend section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of the Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting

such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," authorizing additional temporary salary increases, and the appropriation, used and temporary loans therefor; and validating such increases heretofore made.

Mr. HOLLAND, from the Committee on Education, reported as committed, Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the employment of supervising principals.

He also, from the Committee on Education, reported as committed, House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

He also, from the Committee on Highways, reported as committed, Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two, and section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover providing penalties, and making an appropriation;" providing a uniform method of condemnation and payment of damages in boroughs and cities.

BILLS REPORTED FROM COMMITTEE

Mr. RAUHAUSER. Mr. President, the gentleman from Allegheny, Mr. Walker, spoke of a group of bills concerning American Veterans of World War II. I am directed by the Committee on Military Affairs and Aeronautics to report in behalf of that group House Bill 18 and House Bill 19, as committed, and I wish to say as a member of that organization that we appreciate the felicitations of the gentleman from Allegheny.

Mr. RAHAUSER, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" including American Veterans of World War II

(AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 19, entitled:

An Act to amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters.

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three, clauses (b) and (e) of section eight hundred fourteen, sections one thousand four hundred four and one thousand four hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating plans to merge and the merger of school districts, transportation and routes and contracts pertaining thereto.

He also, from the Committee on Education, reported as committed, Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the furnishing of free transportation or board and lodging in certain cases.

BILLS REPORTED FROM COMMITTEE

Mr. TARR. Mr. President, before the adjournment of this mutual admiration society that seems to have gone into executive session here between the Senators from Allegheny, Mr. Walker and Mr. Rauhauser, I too have the privilege of presenting three Amvet bills, an organization of which I am very proud to be a member.

Mr. TARR, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organization.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 24, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations

Mr. HALUSKA, from the Committee on Highways, reported as committed, Senate Bill No. 439, entitled:

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners,

and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," and providing a uniform ratio for distribution of the unencumbered balance.

Mr. DENT, from the Committee on Highways, reported as committed, House Bill No. 1109, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by further providing for the classification, registration and regulation of tractors and the licensing of their operators.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of ~~their~~ motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of a duplicate certificate of title.

He also, from the Committee on Highways, reported as amended, Senate Bill No. 376, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power

to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenue derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," authorizing the Governor to enter into a supplemental compact agreement on behalf of the Commonwealth of Pennsylvania, with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition, construction, rehabilitation, improvement maintenance and operation of bridges across the Delaware River, the financing thereof, and the fixing, charging and collecting of tolls for the use of such bridges; and repealing certain acts.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads, streets highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

Mr. LEADER, from the Committee on Education, reported as committed, Senate Bill No. 548, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof.

He also, from the Committee on Education, reported as committed, House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the revision of the budget of school districts of the second, third and fourth classes during the fiscal year.

Mr. DiSILVESTRO, from the Committee on Highways, reported as committed, Senate Bill No. 490, entitled:

An Act to further amend clause (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways

of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by increasing the total maximum length of motor buses.

Mr. WOODRING, from the Committee on Local Government, reported as committed, House Bill No. 754, entitled:

An Act to further amend sections three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one three hundred twenty-two three hundred twenty-three, and three hundred twenty-four, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the employees' retirement fund and the retirement age of new employees; extending the power of the retirement board in investing the money of the retirement fund; decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled; refund of contributions; authorizing counties of the second class and county institution district to make additional appropriations.

BILLS INTRODUCED AND REFERRED

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes.

Which was committed to the Committee on Local Government.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 744, entitled:

An Act requiring certain public city and county offices, bureaus, departments and courts in cities and counties of the first class to remain closed all day Saturday during certain months of the year.

Mr. STIEFEL. Mr. President, this bill is a sequel to the Frazier-Lord bill, governing the closing of banks on Saturdays.

Which was committed to the Committee on Local Government.

Mr. CARR read in his place and presented to the Chair Senate Bill No. 745, entitled:

An Act to exempt from taxation for all local purposes certain property of hospitals, universities, colleges, seminaries, academies, associations and institutions of religion, learning, benevolence or charity and declaring the public policy of the Commonwealth with respect to the exemption of said property from such taxation.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 746, entitled:

An Act for the control and cure of tuberculosis by requiring certain persons to undergo chest examinations by means of X-ray and necessary follow-up treatments; imposing powers and duties on the Secretary of Health and the cost of certain examinations on the Commonwealth; providing penalties; and making an appropriation.

Which was committed to the Committee on Public Health and Welfare.

Mr. BECKER on behalf of Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 747, entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242, No. 86), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," requiring certain experience as an operator before opening a beauty shop, changing eligibility requirements for examination in certain cases, further regulating the right to give home treatments, and prescribing additional penalties.

Which was committed to the Committee on Education.

Mr. RAHAUSER read in his place and presented to the Chair Senate Bill No. 748, entitled:

An Act authorizing political subdivisions of this Commonwealth to furnish nationally recognized veterans' organizations and their auxiliaries quarters free of charge, furniture and other services relative thereto.

Which was committed to the Committee on Military Affairs and Aeronautics.

He also read in his place and presented to the Chair Senate Bill No. 749, entitled:

An Act to amend section one thousand six hundred one and to add sections one thousand six hundred three point one and one thousand six hundred five point one to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," defining "contribution"; and fixing maximum contributions and expenditures in primaries and elections.

Which was committed to the Committee on Elections.

Mr. TARR read in his place and presented to the Chair Senate Bill No. 750, entitled:

An Act to further amend section ten of Article IV of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," providing for and regulating fall crews.

Which was committed to the Committee on Mines and Mining.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 751, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," deleting a certain route and adding a new route.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 752, entitled:

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," adding certain new routes.

Which was committed to the Committee on Highways.

Messrs. DENT and LETZLER (by request) read in place and presented to the Chair Senate Bill No. 753, entitled:

An Act to further amend the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by further changing the provisions for markers and headstones at the graves of deceased service persons, and prescribing penalties.

Which was committed to the Committee on Military Affairs and Aeronautics.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 754, entitled:

An Act to repeal section five hundred fifty of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," eliminating the maximum allowable expenditures of Commonwealth funds under the provisions of the act in cities of the first class.

Which was committed to the Committee on Highways.

Mr. WOODRING (by request) read in his place and presented to the Chair Senate Bill No. 755, entitled:

An Act exempting cigarette vending machines leased, loaned, hired or conditionally sold from levy or sale on execution or distress for rent.

Which was committed to the Committee on Judiciary General.

RESOLUTION ADOPTED

Mr. CRIDER. Mr. President, I desire to call from the table Senate Concurrent Resolution, Serial No. 113, Page 188 of the History. Before moving for action on this resolution I desire to make a few statements concerning the same.

In 1945 a committee was appointed to revamp and re-codify criminal laws and also procedure. That committee met a number of times in the interim between the last session and this session and out of those meetings there comes before the Senate today for action, Senate Bill 306, which is the criminal code.

That committee was composed of lawyers from the Senate and the House and several other star defense lawyers, some capable districts attorney and some able jurists and some well-learned men in criminal law.

This committee believes that the criminal code revision as presented today is a very good piece of work, a workable piece of work and something that can be well voted for by the Senate to then pass over to the House for action.

Mr. President, the committee was not able to touch the question of procedure. Therefore on March 10 of this year, I introduced a resolution providing that the Joint State Government Commission continue in the next biennium the study of criminal procedure, so that its study of that subject could be submitted to the next session of the General Assembly and an act of Assembly enacted to tie in with the present criminal code.

I make these preliminary remarks because we will be voting today on the work of this committee as reflected in Senate Bill No. 306, which is up for third reading and final passage today, and therefore, in order that the Joint State Government Commission may continue its work, I respectfully move that Senate Concurrent Resolution 113 be approved.

SENATE CONCURRENT RESOLUTION TAKEN FROM TABLE

Mr. CRIDER. I desire to call from the table Senate Concurrent Resolution, Serial No. 113, on page 188 of the Senate History.

RESOLUTION ADOPTED

The resolution was twice read as follows:

JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY, INVESTIGATION AND CONSIDERATION OF ALL PENAL LAWS OF THE COMMONWEALTH

In the Senate, March 10, 1947.

Whereas, Under Resolution, Serial Number 15 of the General Assembly of 1945, the Joint State Government Commission was directed to investigate, survey and consider all penal laws of the Commonwealth and to revise and restate such penal laws in codified form and to

report its findings and conclusions at the next regular session of the General Assembly, and

Whereas, The laws of criminal procedure of the Commonwealth to better serve the efficient administration of justice are in need of similar study and codification, and

Whereas, Because of the great importance attached to both the proper study and codification of the penal laws and the laws relating to criminal procedure it would be advisable and advantageous to make further study of the penal laws in conjunction with a study of the laws relating to criminal procedure, therefore be it,

Resolved, (if the House of Representatives concur) That the Joint State Government Commission be directed to continue its survey, investigation and consideration of all the penal laws of the Commonwealth and in connection therewith to survey, investigate and consider the laws of the Commonwealth relating to criminal procedure and to completely revise and restate such penal laws and laws relating to criminal procedure into codified form and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of the penal laws and laws relating to criminal procedure of the Commonwealth to be introduced at the next regular session of the General Assembly;

The Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 838, as follows:

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" as amended by the act approved the seventh day of May one thousand nine hundred thirty-seven (P. L. 599) is hereby further amended to read as follows

Section 1 The following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

"Extension education" shall designate any instructional recreational or social service provided and administered by the board of school directors of any school district which is organized primarily for out-of-school youth and for adults or any such recreational or social service which is so provided and administered for other youth and for children during out-of-school hours but shall not include the [school] work of [continuation and other] vocational schools which are subsidized under the provisions of Federal enactment nor the coaching or supervision of interscholastic athletic teams or games

Section 2 The provisions of this shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haiuska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 503

Mr. KEPHART. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 503, passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. KEPHART. Mr. President, I voted with the majority.

Mr. CARR. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CARR. Mr. President, I voted with the majority.
The motion was agreed to,

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225, entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 2, (sec. 808), page 6, line 8, by striking out the word "resident"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 528, as follows:

An Act to add section four hundred fifty-one to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for training of volunteer fire companies by counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidation the laws relating thereto" is hereby amended by adding after section four hundred fifty thereof a new section to read as follows

Section 451 Training of Volunteer Fire Companies by Counties of the Second Class For the purpose of providing more effective protection to persons and property from the hazards of fire the county commissioners in all counties of the second class shall have power to establish

equip and maintain schools and training centers for volunteer fire companies organized in any city borough town or township within the County in order to provide instruction and training in the prevention control and fighting of fires

Section 2 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 570, as follows:

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II and synthetic dry cleaning and dyeing plants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" as last amended by the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 486) are hereby further amended to read as follows

Section 1 Be it enacted &c That no person copartnership association or corporation shall erect construct maintain or operate any dry cleaning or dyeing establishment or business except in accordance with the provisions of this act

For the purpose of this act "Class I dry cleaning and dyeing plants" shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable liquid or product having a flash point of less than [one hundred forty] 138.2 degrees Fahrenheit closed cup tester and "Class II and synthetic dry cleaning and dyeing plants"

shall be construed to mean the business of cleaning sponging or dyeing cloth feathers any kind of fabrics or textiles by the use of any inflammable liquid or synthetic solution having a flash point of 138.2 degrees Fahrenheit or above (closed cup tester) Sections two to five inclusive of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) as amended apply to "Class I and Class II and synthetic dry cleaning and dyeing plants"

Section 4 No steam boiler furnace or steam generator or heating device exposed fire or other spark emitting device shall be permitted in any dry cleaning dyeing tumbler drying or distilling room or in line of vapor travel therefrom

Heating of such buildings shall be by steam or hot water system or equivalent in safety

All electric wiring and equipment including motors shall conform to the regulations of Department of Labor and Industry

Transfer of all liquids shall be through continuous piping pipe connections or threaded joints shall be made up litharged and glycerined and all outlets or drain lines shall be drained by gravity to settling or storage tanks No dry cleaning liquid shall be settled in any open or unprotected vessels or tanks Provided That nothing in this section shall prohibit scrubbing and brushing in dry cleaning rooms but not more than three gallons of [volatile] inflammable fluid shall be used in any one container and shall be so used in metallic pan or container and such [volatile] inflammable liquid or substance shall be returned to settling or storage tanks as soon as operation is completed

Storage tanks for [volatile] inflammable liquids shall conform to the regulations of the Department of Labor and Industry and no such tank shall be installed without approval from said department

Section 5 Fire extinguishers of approved type shall be provided for each two hundred square feet of floor space or when separate rooms of less than two hundred square feet of floor space are maintained one extinguisher for each room

As a means of fire extinguishment in any dry cleaning dyeing tumbler and drying rooms the same shall be equipped with steam pipes separate and other than pipes used for heating or power located near the ceiling In these pipes there shall be not less than two openings all of which shall point toward the ceiling The steam supply or such pipes shall be continually available for service while the plant is in operation and shall be sufficient to completely fill the room space in less than one minute An outside screw and yoke valve shall be placed in the steam service line or lines outside of these rooms and shall be accessible for operation in case of fire Such fire protection system shall be extended and connected to washers and tumblers so that the fire extinguishing agent may be admitted to the interior of such machines An approved system using a fire deterrent chemical or gas may be installed in lieu of a steam extinguishing system

Section 6 [Nothing contained in the preceding sections of this act shall be construed to apply to any dry cleaning or dry dyeing plants or systems exclusively using petroleum solvent having a flash point of 140 degrees Fahrenheit or above (closed cup tester) which are completely equipped in the process of manufacture and employ only closed containers] Class II dry cleaning and dry dyeing plants using a petroleum solvent having a flash point of 138.2 degrees Fahrenheit or above (closed cup tester) shall use equipment approved by the Department of Labor and Industry for solvents with a flash point of 138.2 degrees Fahrenheit or above and shall comply with the following requirements

Flash point (closed cup ... Not lower than 59.0 degrees Centigrade (138.2 degrees Fahrenheit)
Initial boiling point ... Not lower than 181.0 degrees Centigrade (357.8 degrees Fahrenheit)
Ignition temperature Not lower than 234.0 degrees Centigrade (453.2 degrees Fahrenheit)

Power limit of explosive range ... Not less than 0.8 per cent by volume in air at an initial temperature of 150.0 degrees Centigrade (302 degrees Fahrenheit)

Spontaneous heating The cleaning solvent shall not heat spontaneously

Plans for approval for Class I II and synthetic type of dry cleaning and drying dyeing establishments shall be submitted to the Department of Labor and Industry for approval before beginning the erection adoption or alteration of any such building Such building shall not be over one story in height and no part of the dry cleaning building shall be used for any other occupancy A fee of five dollars (\$5) shall be charged for the examination of plans Provided That such plants and systems shall conform in all other respects to the regulations of the Department of Labor and Industry for safeguarding employees in dry cleaning and [dry] dyeing [plants] establishments

The Department of Labor and Industry shall have the power and its duty shall be to make alter amend and repeal rules and regulations for carrying into effect all the provisions of this act and applying such provisions to specific conditions

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Becker,	Farrell,	Lord,	Tyler,
Berger,	Frazier,	Mahany,	Wade,
Blass,	Geltz,	Mallery,	Wagner,
Carr,	Hare,	Rosenfeld,	Walker,
Chapman,	Heyburn,	Scarlett,	Watson,
Crider,	Holland,	Snowden,	Wilson,
Crowe,	Homsher,	Stevenson,	Wolfe,
Doehla,	Kephart,	Tallman,	Wood, T. N.,
Donlan,	Letzler,	Taylor,	Wood, L. H.,

NAYS—11

Barr,	Haluska,	Leader,	Stiefel,
Dent,	Jaspan,	Rahauser,	Woodring,
DiSilvestro,	Klein,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 639, as follows:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the rights and power already granted to telegraph and telephone corporations under

the laws of this Commonwealth and without impairment or limitation of any of their present rights and powers every corporation heretofore organized or hereafter to be organized under and by virtue of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" and the acts amendatory thereof and supplemental thereto and engaged in the business of furnishing telephone and telegraph service or either of said services and every corporation heretofore organized or hereafter to be organized under and by virtue of an act approved the twenty-second day of July one thousand nine hundred nineteen (P. L. 1123) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the incorporation and regulation of telephone companies defining the rights powers and privileges of such corporations authorizing and regulating the purchase acquisition and leasing the whole or any part of the properties systems capital stock and securities of other corporations associations and persons engaged in the telephone business and authorizing existing telegraph corporation to accept the provisions of this act" and engaged in the business of furnishing telephone service shall have the following additional rights and powers To appropriate private real property outside the limits of public roads street lanes alleys or highways and within this Commonwealth necessary for its corporate use in the construction erection operation or maintenance of its poles wires cables conduits and other fixtures and facilities for its lines for the operation of a telephone or telegraph business or both except that streams rivers or waters of this Commonwealth or any of them or the land covered thereby or other public property or property of a public utility or of a corporation organized under or subject to the "electric cooperative corporation act" or property used as a burying ground or place of worship or dwelling house or the reasonable curtilage not to be less than three hundred feet appurtenant thereto shall not be appropriated by virtue of the power conferred by this section Provided That before any such company shall exercise the power conferred by this section with respect to any intrastate lines the Pennsylvania Public Utility Commission upon application of such company shall have found and determined after public hearing that the service to be furnished by said company through the exercise of said power is necessary or proper for the service accommodation convenience or safety of the public All damages arising from any exercise of the power conferred by this section shall be ascertained recovered and paid as provided by the forty-first section of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) and the amendments and supplements thereto

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahouser,	Wagner,
Cridger,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
Farrell,	Leader,	Tallman,	Woodring,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 33 on third reading entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 129, on third reading entitled:

A Joint Resolution proposing an amendment to article nine section sixteen of the Constitution of the Commonwealth of Pennsylvania extending the provisions thereof to include certain veterans not theretofore within its provisions

be placed on the third reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 306 as follows:

An Act to consolidate amend and revise the penal laws of the Commonwealth

Table of Contents

Article I. Preliminary Provisions

Section 101	Short Title
Section 102	Effective Date
Section 103	Felonies and Misdemeanors
Section 104	Definitions
Section 105	Offenses Committed Prior to Effective Date
Section 106	Interpretation

Article II Offenses Against Government

Section 201	Treason
Section 202	Misprison of Treason
Section 203	Levying War and Assisting Enemies of the Commonwealth or the United States
Section 204	Privateering Against the United States
Section 205	Serving on Vehicle Carrying Contraband of War
Section 206	Enlisting Troops for Any Other State or Country
Section 207	Sedition
Section 208	Display of Flag at Public Meetings
Section 209	Red Flag in Public Processions or Public Gatherings
Section 210	Insults to National or State Flag
Section 211	Desecration of Flag
Section 212	Discrimination on Account of Uniform

Article III Offenses Against Public Justice and Administration

- Section 301 Procuring Unlawful Arrest or Prosecution
- Section 302 Bribery and Extortion
- Section 303 Barratry
- Section 304 Compounding Felonies
- Section 305 Embracery
- Section 306 Prison Breach
- Section 307 Furnishing Contraband Articles to Inmates
- Section 308 Taking Articles Into or Out of Institution
- Section 309 Voluntary Escape
- Section 310 Negligent Escape
- Section 311 Failure to Arrest
- Section 312 Obstructing an Officer
- Section 313 Aiding Escape from Institution
- Section 314 Aiding Escape from Custody
- Section 315 Impersonating an Officer
- Section 316 Impersonating Persons and Officers Privately Employed
- Section 317 Perjury and False Swearing
- Section 318 Hindering Witnesses
- Section 319 Absconding Witness

Article IV Offenses Against the Public Peace

- Section 401 Unlawful Assembly and Affray
- Section 402 Resistance to Authority
- Section 403 Forcible Entry
- Section 404 Forcible Detainer
- Section 405 Disturbing Public Assemblies
- Section 406 Disorderly Conduct
- Section 407 Duelling
- Section 408 Libel
- Section 409 Anonymous Communications
- Section 410 Unsponsored Statements Relating to Candidates
- Section 411 Carrying Deadly Weapons
- Section 412 Carrying Explosives and Noxious Substances
- Section 413 Loitering and Prowling at Night Time

Article V Offenses Against Public Morals and Decency

- Section 501 Sodomy
- Section 502 Bigamy
- Section 503 Single Person Marrying Spouse of Another
- Section 504 Adultery
- Section 505 Fornication
- Section 506 Incest
- Section 507 Seduction
- Section 508 Prostitution and Assignment
- Section 509 Prostitution of or sexual intercourse with Female Child
- Section 510 Permitting Female Child in Places of Vice
- Section 511 Forcing Wife in House of Prostitution
- Section 512 Inducing and Fostering Prostitution
- Section 513 Forced Marriage
- Section 514 Disorderly House
- Section 515 Loitering in Disorderly or Bawdy House
- Section 516 Indecent Liberties
- Section 517 Public Indecency
- Section 518 Public Exhibition of Defective Persons
- Section 519 Removal of Body from Tomb
- Section 520 Blasphemy
- Section 521 Obscenity
- Section 522 Unlawful Medical Practices

Article VI Offenses Against Public Policy Economy and Health

- Section 601 Lotteries
- Section 602 Gambling
- Section 603 Pool Selling and Book Making
- Section 604 Opium Joints
- Section 605 Frequenting Opium Joints
- Section 606 Public Nuisances
- Section 607 Excessive Sports
- Section 608 Bribery in Athletic Contests
- Section 609 Tramps
- Section 610 Tramps Entering Buildings etc.

Section 611 Shooting on Grounds of Hospitals Parks etc.

Section 612 Implements Discharging Pellets etc. in Cities or Boroughs

Section 613 Sale loan or lease of Weapons and Explosives to Minors

Section 614 Manufacture and Sale of Toy Weapons

Section 615 Uniform Firearms Act

Section 616 Traffic in Machine Guns

Section 617 Commission of Crime when Armed with Machine Gun

Section 618 Unlawful Firecrackers Fireworks etc.

Section 619 Fire Balloons

Section 620 Dealing in Minors

Section 621 Out-of-State Convict-Made Goods

Section 622 Unwholesome Provisions and Adulterated Liquors and Medicines

Section 623 Dressed Carcasses of Lamb and Sheep

Section 624 Methyl and Wood Alcohol in Preparations

Section 625 Sale of Poisons

Section 626 Pollution of Drinking Water

Section 627 Employment and Use of Minors

Section 628 Employment and Use of Minors in Theatres etc.

Section 629 Employment of Minors Without Consent of Parent or other Person Charged with the Care Thereof

Section 630 Admission of Minors to Theatres

Section 631 Sale or Furnishing of Tobacco to Minors

Section 632 Pawn Brokers Dealing with Minors

Section 633 Pool and Billiard Rooms and Bowling Alleys

Section 634 Discrimination on Account of Race Creed or Color

Section 635 Distribution of Samples of Candy Medicine Dyes etc.

Section 636 Vending Machines and Mechanical Devices for Distribution of Drugs

Section 637 Carrying Explosives on Public Conveyance

Section 638 Shipping Explosives

Section 639 Railroad Employee Abandoning Trains

Section 640 Railroad Employee Refusing to Remove Car

Section 641 Interfering with Railroad Employee

Section 642 False Fire Alarm

Section 643 Receiving Property to Secure Employment

Section 644 Corruption of Agents Servants Employees and Fiduciaries

Section 645 Using False Document with Intent to Defraud Employer

Section 646 Coercion of Employees

Section 647 Discontinuing Water Supply for Fire Protection

Section 648 Withholding and Destroying Papers of Service Men

Section 649 Sale of Diplomas

Section 650 Misrepresentation of Age by Minor to Secure Liquor

Section 651 Ticket Scalping

Section 652 Loan of Public Money

Section 653 Deposit of Public Money for Gain

Section 654 Payment of Public Money Without Authority

Section 655 Prohibited Acts by Public Officers

Section 656 Interest of Certain Architects and Engineers in Public Work Contracts

Section 657 Restrictions Upon Cashiers or Treasurers of Banking Institutions and Certain Fiscal Officers

Section 658 Disclosure of Telegraphic and Telephonic Communications by Officers and Employees of Telegraph and Telephone Companies

Section 659 Unlawful Advertising of Insurance Business

Section 660 Driving Animals While Intoxicated

Section 661 Marrying Intoxicated Persons

Section 662 Throwing Articles on Highways or Upon Land of Another

Section 663 Steam Engine Without Spark Arrester

Section 664 Playing for Drinks

- Section 665 Fraud in Securing Professional Licenses
 Section 666 Bucket Shops
 Section 667 Worldly Employment or Business on Sunday
 Section 668 Racing Animals
 Section 669 Undersized Lobsters

Article VII Offenses Against the Person

- Section 701 Murder of the First and Second Degree
 Section 702 Voluntary and Involuntary Manslaughter
 Section 703 Robbery
 Section 704 Aggravated Robbery
 Section 705 Larceny from Bank Vaults by Force
 Threats or Menace
 Section 706 Stopping a Common Carrier to Commit a Felony
 Section 707 Assault and Battery
 Section 708 Aggravated Assault and Battery
 Section 709 Assault with Intent to Commit a Crime
 Section 710 Pointing Deadly Weapons
 Section 711 Abortion
 Section 712 Concealing Death of Child
 Section 713 Rape
 Section 714 Kidnapping
 Section 715 Abandoning Infants
 Section 716 Neglect to Maintain Child Abandonment
 Section 717 Cruelty to Minors
 Section 718 Tattooing Minors
 Section 719 Wilful Separation or Nonsupport
 Section 720 Neglect of Children Born out of Wedlock
 Section 721 Desertion and Nonsupport

Article VIII Offenses Against Personal Property and Fraudulent Dealing Therewith

- Section 801 Blackmail
 Section 802 Larceny
 Section 803 Additional Penalties for Larceny of Minerals
 Section 804 Receiving Stolen or Fraudulently Disposed of Property
 Section 805 Bringing Stolen Property into the State
 Section 806 Professional Thieves
 Section 807 Fraudulent Conversion of Property
 Section 808 Fraudulent Conversion by Partners etc
 Section 809 Rehypothecation of Stocks and Bonds
 Section 810 Misapplication of Public Moneys Collected for Special Purposes
 Section 811 Refusal to Pay over Money Collected on Execution
 Section 812 Cheating by Fraudulent Pretenses
 Section 813 False Statements
 Section 814 False Statements Concerning Financial Institutions
 Section 815 False Statements and Entries by Officials of Banking or other Financial Institutions
 Section 816 Fraudulent Accounts
 Section 817 False Statements by Corporate Agents
 Section 818 False Financial Statements
 Section 819 False Entries by Partners
 Section 820 Destroying or Mutilating Books of Corporation
 Section 821 Fraudulent Removal of Vehicle
 Section 822 Receipt of Deposits by Insolvent Institutions
 Section 823 Frauds by Agents of Transportation Companies
 Section 824 Worthless Checks and Drafts
 Section 825 False Certification of Check
 Section 826 False or Forged Recommendations
 Section 827 False Representation of Blindness Deafness etc

- Section 828 Untrue False and Misleading Advertising
 Section 829 Accepting Unidentified Advertising
 Section 830 Nondisclosure of Identity of Merchant
 Section 831 Attaching Advertising without Consent of Publisher
 Section 832 Fraudulent Use of "Consul" "Consulate" or Coat of Arms

- Section 833 Fraud on Automatic Machines
 Section 834 Manufacture of False Tokens to Operate Automatic Machines
 Section 835 Spurious Archaeological Specimens
 Section 836 False Representation of Kosher
 Section 837 Unlawful Use of Containers etc
 Section 838 Fortune Telling
 Section 839 Fraud on Hotel Boardinghouse and Inn Keepers
 Section 841 Marking of Gold
 Section 841 Marking of Gold Fineness
 Section 842 Marking of Silver
 Section 843 Marking of Coin Silver
 Section 844 Marking of Mounting as Sterling
 Section 845 Marking of Mounting as Coin
 Section 846 Unpublished Dramas and Musical Composition
 Section 847 Purchase of Junk
 Section 848 False Registration of Domestic Animals
 Section 849 Fraudulent Entry of Horses in Races
 Section 850 Destruction of Deeds Securities and Records
 Section 851 Identifying Marks on Machines and Apparatus
 Section 852 Electric Storage Batteries
 Section 853 Confession of Judgment to Defraud Creditors
 Section 854 Removing or Concealing Property to Defraud Creditors
 Section 855 Illegal Wearing of Uniforms and Insignia
 Section 856 Illegal Sale of Veterans' Flowers
 Section 857 Illegal Dealing in Military Decorations
 Section 858 Fraud on Association Having Grand Lodge
 Section 859 Unlawful Collection Practices
 Section 860 Fraudulent Traffic in Food Orders

Article IX Offenses Against Real Property and Malicious Mischief

- Section 901 Burglary
 Section 902 Felonious Entry
 Section 903 Possession of Burglary Tools
 Section 904 Arson
 Section 905 Criminal Burnings
 Section 906 Burning of Personal Property
 Section 907 Malicious Mischief
 Section 908 Malicious Mischief by Explosives
 Section 909 Malicious Mischief Involving Signs Public Notices etc
 Section 910 Retention of Library Property after Notice to Return
 Section 911 Violation of Rules Governing State Property
 Section 912 Purchasing Converted Trees or Lumber Thereof
 Section 913 Trespass Upon Posted Land
 Section 914 Trespassing on Grounds of State Institutions
 Section 915 Killing aiming or Poisoning Domestic Animals etc
 Section 916 Cruelty to Domestic Animals
 Section 917 Selling or Using Disabled Horse
 Section 918 Hours of Labor of Animals
 Section 919 Cruelty to Cow to Enhance Appearance of Udder
 Section 920 Cropping Ears of Dog
 Section 921 Seizure of Animals Kept for Baiting or Fighting
 Section 922 Power to Make Arrests in Cruelty-to-Animal Cases

Article X Forgery and Offenses Against the Coin

- Section 1001 Counterfeiting or Debasement of Coinage
 Section 1002 Issuing Unauthorized Currency
 Section 1003 Forging or Counterfeiting Written Instruments
 Section 1004 Making or Possessing Counterfeiting Tools and Material

- Section 1005 Advertising Counterfeited or Forged Matter
 Section 1006 Tampering with Public Records
 Section 1007 Forging Telegrams
 Section 1008 Forging Brands
 Section 1009 Possession of Forged Labels
 Section 1010 Selling Goods with Forged Labels

Article XI General Provisions

- Section 1101 Common Law and Other Offenses Preserved
 Section 1102 Civil Rights and Remedies Preserved
 Section 1103 Civil Penalties not Affected
 Section 1104 Penal Acts Strictly Pursued
 Section 1105 Principals in the Second Degree and Accessories Aiders and Abettors
 Section 1106 Accessories After the Fact
 Section 1107 Accessories After the Fact in Murder
 Section 1108 Attempts to Commit Crime
 Section 1109 Solicitation
 Section 1110 Conspiracy
 Section 1111 Sentences
 Section 1112 Restitution
 Section 1113 Second and Subsequent Offenses

Article XII Acts of Assembly Repealed

- Section 1201 Repeals

Article I

Preliminary Provisions

- Section 101 Short Title
 This act shall be known and may be cited as "The Crimes Act"

Section 102 Effective Date

This act shall become effective on the first day of January one thousand nine hundred and forty-eight

Section 103 Felonies and Misdemeanors

All crimes which are punishable by imprisonment of more than three (3) years are felonies all other crimes are misdemeanors

Section 104 Definitions

When used in this act the following words and phrases shall be construed as defined in this section except where a different intent is plainly set forth in the provisions to be construed or the context clearly indicates otherwise

"Another" is coextensive with "person"

An "appointed officer" is any officer selected in any way other than by the voters of the Commonwealth or of any of its political subdivisions

The "armed forces of the United States" includes the United States Army Navy Marine Corps and Coast Guard and all the components thereof

"Assignment" shall mean the making of an appointment or engagement for prostitution or any act in the furtherance of such appointment or engagement

An "association" is any combination of persons acting together as an organization

A "banking institution" includes any national state or private bank bank and trust company trust company saving fund society federal savings and loan society and any building and loan society

A "crime" is any act or omission which is indictable or which may be proceeded against by information

An "elected officer" is any officer selected by the voters of the Commonwealth or of any of its political subdivisions

A "horse" includes any member of the Equidae family

A "machine gun" is any firearm which fires two or more pellets successively by a single application of the trigger or other firing device

"Magistrate" includes justice of the peace alderman and any other officer having by law the powers of a committing magistrate

A "mental hospital" includes any state semi-state or licensed hospital institution school or place public or private for the care of mental patients

An "offense" is any act or omission which is indictable or which may be proceeded against by information or by summary proceeding

A "person" includes any individual association corporation partnership society union political entity or any subdivision thereof and any entity which is recognized by law When the word "person" is used in connection with other words enumerating specific forms of persons included within this definition such enumeration shall not be construed to diminish the meaning of the word "person" as herein defined unless such diminution is expressly declared to be intended thereby

"Property" includes real and personal property all written and printed instruments which are evidences of debts or contracts or concern rights to real or personal property or will create rights and privileges or things growing upon or attached to and included within real property and anything of value to a "person"

"Prostitution" is the offering or using of the body for sexual intercourse for hire

A "public conveyance" is any vehicle which is principally used to transport the public or the public's property from place to place

A "transportation company" is a person engaged in the business of transporting persons or property from place to place

A "vehicle" includes any article which is or may be used for the transportation or movement of persons or property on land water or in the air

Section 105 Offenses Committed Prior to Effective Date

The provisions of this act shall not apply to offenses committed before the effective date hereof but such offenses shall be prosecuted and the prosecutions concluded under the provisions of law in force at the time the offense was committed For such purposes the laws repealed by this act shall remain in effect

Section 106 Interpretation

Each lettered paragraph in a section shall be considered as disjunctive

Article II

Offenses Against Government

Section 201 Treason

Whoever owing allegiance to the Commonwealth of Pennsylvania levies war against the same or against the United States or adheres to the enemies of either giving them aid or comfort within the Commonwealth or elsewhere upon conviction thereof on the testimony of two witnesses to the same overt act of the treason whereof he stands indicted or upon a plea of guilty shall be imprisoned for a term of years not exceeding the life of the offender or fined not exceeding fifteen thousand dollars (\$15,000) or both

Section 202 Misprision of Treason

Whoever has knowledge of any treason punishable by the laws of this Commonwealth and conceals or does not disclose and make known the same as soon as possible to the Governor or Attorney General of the Commonwealth or to the district attorney or a judge of the county in which said person lives shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 203 Levying War and Assisting Enemies of the Commonwealth or the United States

Whoever owing allegiance to or residing in this Commonwealth and under the protection of its laws takes a commission from any enemy of the Commonwealth or of the United States or aids or assists any enemy in open war against this Commonwealth or the United States in any manner or who carries on traitorous correspondence with an enemy of the Commonwealth or of the United States or is in anywise concerned in forming any combination for betraying this Commonwealth or the United States into the hands or power of any enemy or knowingly furnishes any intelligence to the enemies of this Commonwealth or the United States or does any act with the intent to oppose or subvert the government of this Commonwealth or the United States in recruiting and maintaining armed troops in times of war shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

This section does not prohibit the taking or receiving of civil commissions for the acknowledgment of deeds and other instruments in writing

Section 204 Privateering Against the United States

Whoever in any manner furnishes alters fits out or constructs any vehicle for the purpose of privateering or making war against the United States or to resist by force or otherwise the execution of the laws of the United States shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 205 Serving on Vehicle Carrying Contraband of War

Whoever within this Commonwealth or while owing allegiance to this Commonwealth serves within or without this Commonwealth in any capacity on any vehicle carrying any contraband of war designed for conveyance to or delivery at any place within any state or country with which the United States is at war with knowledge of such unlawful traffic shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 206 Enlisting Troops for any other State or Country

Whoever recruits or enlists any person to serve in the armed forces of any state or country other than this Commonwealth or the United States or in any way procures any person to leave this Commonwealth for the purpose of enlisting in the armed forces of any state or country other than this Commonwealth or the United States shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 207 Sedition

Whoever with intent to accomplish political reform or change in or the overthrow of the government of this Commonwealth

(a) Engages or attempts to engage in violence or any form of terrorism

(b) Damages or destroys or attempts to damage or destroy any public property or the property of any public official because the owner or occupant is in an official position

(c) Injures or attempts to injure any officer of this Commonwealth because of his official position

(d) Commits any overt act with the view of bringing the government of this Commonwealth into hatred or contempt

(e) Advocates or teaches in any manner whatever the duty necessity or propriety of engaging in violence or any form of terrorism as a means of accomplishing political reform or change in or the overthrow of the government of this Commonwealth

(f) Sells gives away or distributes or prints any publication document or written matter in any form which advocates or teaches such acts as a means of accomplishing political reform or change in or the overthrow of the government of this Commonwealth

(g) Organizes or helps to organize any assembly society or group which has as one of its policies or purposes the use or advocacy of violence or any form of terrorism as a means of bringing about the political reform or change in or the overthrow of the government of this Commonwealth or with knowledge that any such assembly society or group has as one of its policies or purposes the use or advocacy of violence or any form of terrorism as a means of bringing about the political reform or change in or the overthrow of the government of this Commonwealth becomes or remains a member thereof

shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 208 Display of Flag at Public Meetings

Whoever being directly or indirectly in charge of any public gathering in any place fails at such gathering to display publicly and visibly the flag of the United States reasonably clean and in good repair shall upon conviction thereof in a summary proceeding be fined not

exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

The flag required to be displayed by the provisions of this section shall be the standard flag of the United States of a size not less than fifty-two (52) by sixty-six (66) inches

This section does not apply to gatherings for religious worship

The provisions of this section do not prohibit the exhibition of torn soiled or worn flags of the United States which have historical significance when exhibited in conjunction with the type and size of flag herein required

Section 209 Red Flag in Public Processions or Public Gatherings

Whoever carries or displays a red flag in or in connection with any public procession or gathering shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 210 Insults to National or State Flag

Whoever maliciously takes down defiles injures removes or in any manner damages insults or destroys any American flag or the flag of this Commonwealth which is displayed anywhere shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 211 Desecration of Flag

Whoever in any manner

(a) For exhibition or display places any marks writing or design of any nature or any advertisement upon any flag

(b) Exposes to public view any such marked or defiled flag

(c) Manufactures sells exposes for sale gives away or has in his possession any article which uses the flag for the purposes of advertisement sale or trade

(d) Publicly or privately mutilates defaces defiles or tramples upon or casts contempt in any manner upon such flag

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The word "flag" as used in this section shall include any flag standard color ensign or any picture or representation of either thereof made of any substance or represented on any substance and of any size purporting to be a flag standard color or ensign of the United States or of this Commonwealth or a picture or a representation of either thereof upon which shall be shown the colors or any color or any combination of colors or either the stars or the stripes or the stars and the stripes in any number of either thereof or anything which the person seeing the same may believe the same to represent the flag colors standard or ensign of the United States or of this Commonwealth

This section does not apply to any act permitted by the statutes of the United States or by the regulations of the armed forces of the United States nor in a case where the government of the United States has granted the use of such flag standard color or ensign as a trade mark nor does it apply to any writing or instrument or stationery for use in correspondence on any of which shall be printed painted or placed said flag disconnected from any advertisement for the purpose of sale or trade nor does it apply to any patriotic or political demonstration or decorations

Section 212 Discrimination on Account of Uniform

Whoever being the proprietor manager or employe of a theatre hotel restaurant or other place of public entertainment or amusement discriminates against any person wearing the uniform of the armed forces of the United States because of that uniform shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Article III Offenses Against Public Justice and Administration

Section 301 Procuring Unlawful Arrest or Prosecution

Whoever with knowledge that the charge is false pro-

cures another to be complained of arrested or indicted for a crime shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 302 Bribery and Extortion

Whoever

(a) By threat intimidation or promise or by the gift or offer of any property influences or endeavors to influence any public officer or employe of this Commonwealth or of any political subdivision thereof or any juror referee or arbitrator in any matter or thing whatsoever relating to the duties imposed upon him

(b) Being a public officer or employe of this Commonwealth or of any political subdivision thereof or any juror referee or arbitrator receives or agrees to receive demands or solicits any promise or property other than the compensation allowed by law by color of his office or for the performance or nonperformance of any duty imposed upon him

(c) Solicits demands or receives any promise or property for the purpose or under the pretext of corruptly influencing the official action of any public officer or employe of this Commonwealth or of any political subdivision thereof

(d) Violates section 29 or 30 of Article III of the Constitution of this Commonwealth shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 303 Barratry

Whoever vexes others with unjust and vexatious suits shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 304 Compounding Felonies

Whoever compounds a felony shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 305 Embracery

Whoever with intent to influence corruptly any juror, talisman, arbitrator, referee, auditor or master selected or appointed according to law with respect to the discharge of his duty either before or after he is selected, summoned, appointed or sworn, endeavors in any manner to bias his mind or judgment shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 306 Prison Breach

Whoever

(a) Being in lawful custody or lawfully detained in any place for any reason other than a commitment following a plea or verdict of guilty in a criminal action or a judgment of conviction by a criminal court breaks such place of detention although no escape is actually made or who escapes from such place of detention or custody shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

(b) Being in lawful custody or imprisoned in any prison or jail upon commitment following a plea or verdict of guilty in a criminal action or upon summary conviction or a judgment of conviction by a criminal court breaks prison although no escape is actually made or who escapes from such jail or prison or custody shall be imprisoned not exceeding ten (10) years and the sentencing judge may designate in which institution the unserved portion and the additional sentence shall be served

Section 307 Furnishing Contraband Articles to Inmates

Whoever without the permission of the person in charge of such institution furnishes to any person confined in any official place of detention or in any mental hospital or either directly or indirectly disposes of in such a manner or in any place any weapon or implement readily adaptable as a weapon or any intoxicating liquids or any drug acid medicine or poison except the ordinary hospital supply of the place of detention or mental hospital with the intent that it be secured by any person confined in the official place of detention or mental hospital shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 308 Taking Articles Into or Out of Institutions
Whoever in violation of the rules of any official place of detention brings anything into or takes anything out of such institution shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand (\$1000) or both

Section 309 Voluntary Escape

Whoever having lawful custody of any person convicted or accused of crime voluntarily permits or suffers such person to escape shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 310 Negligent Escape

Whoever having lawful custody of any person convicted or accused of crime through gross negligence permits or suffers such person to escape shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 311 Failure to Arrest

Whoever being required by lawful process directed to him to apprehend or confine any person wilfully and without reasonable cause refuses or omits to execute such process shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 312 Obstructing an Officer

Whoever

(a) By means of a threat, menace or violence deters or prevents any officer agent or employe of this Commonwealth or of any political subdivision thereof knowing him to be such from performing any duty imposed by law upon such officer agent or employe shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

(b) After having been required by any officer agent or employe of this Commonwealth or of any political subdivision thereof knowing him to be such officer agent or employe neglects or refuses without reasonable cause to assist such officer agent or employe in the performance of his duty in any criminal case or in the preservation of the peace or in apprehending or securing any person for a breach of the peace shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 313 Aiding Escape from Institution

Whoever in any manner knowingly aids or assists any person confined in any official place of detention or any mental hospital or any institution where persons are lawfully restrained of their liberty to make or attempt to make an escape therefrom shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 314 Aiding Escape from Custody

Whoever in any manner knowingly aids or assists any person to escape from the custody of any person having lawful custody of such person shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 315 Impersonating an Officer

Whoever knowing himself not to be such falsely assumes to act as or falsely represents himself to be an elective or appointive officer or peace officer of this Commonwealth or of any political subdivision thereof shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 316 Impersonating Persons and Officers Privately Employed

Whoever without authority pretends or holds himself out to anyone as an employe of any person for the purpose of gaining access to any premises shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 317 Perjury and False Swearing

Whoever

(a) Upon oath or affirmation legally administered wilfully and corruptly gives false testimony or wilfully and corruptly makes false written statements upon matters

material to any issue in any lawfully constituted judicial or legislative proceeding before any person tribunal committee or body empowered by law or appointment of any court to receive or require oral testimony or written statement under oath or affirmation or in the taking of an oath or affirmation required by any act of Assembly of this Commonwealth or wilfully and corruptly procures or suborns another to do the same shall be imprisoned not exceeding seven (7) years or fined not exceeding seven thousand dollars (\$7000) or both and upon conviction thereof shall except as otherwise provided by law be disqualified thereafter from being a witness

(b) Under circumstances other than as provided in subsection (a) herein upon oath or affirmation legally administered and authorized or required by law wilfully and corruptly makes false statements shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 318 Hindering Witnesses

Whoever knowingly dissuades hinders or prevents any witness from obeying the mandate of any lawful subpoena lawfully served shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 319 Absconding Witness

Whoever having been lawfully subpoenaed to testify before any person tribunal committee or body wilfully and wrongfully refuses to appear and testify or wilfully conceals himself or departs from this Commonwealth or the jurisdiction of such person tribunal committee or body to avoid appearing and testifying shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section shall not apply to subpoenas issued by a tribunal having the power to punish for contempt

Article IV

Offenses Against the Public Peace

Section 401 Unlawful Assembly and Affray

Whoever participates in any unlawful assembly riot or affray shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 402 Resistance to Authority

Whoever participates in any unlawful assembly riot or affray the purpose of which is directly to resist the immediate enforcement of the laws of the United States or of this Commonwealth or any of its political subdivisions shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 403 Forcible Entry

Whoever by force threats or menacing conduct unlawfully enters upon or into any lands or buildings or after entering peaceably turns out by force or by threats or by menacing conduct the person in possession shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 404 Forcible Detainer

Whoever by force threats or menacing conduct unlawfully holds and keeps possession of any lands or buildings or any part thereof whether the possession was obtained peaceably or otherwise shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both and shall make restitution of the lands and tenements unlawfully detained

No person shall be adjudged guilty of this crime if such person by himself or by those under whom he claims has been in peaceable possession for three (3) years next preceding such alleged forcible detention

Section 405 Disturbing Public Assemblies

Whoever without lawful authority wilfully disturbs any assembly parade or procession shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 406 Disorderly Conduct

Whoever wilfully disturbs the public peace shall upon

conviction thereof in a summary proceeding be fined not exceeding thirty dollars (\$30) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Where such disturbance of the peace occurs in a public conveyance the person in charge thereof may arrest on view any person so disturbing the peace and shall deliver such person into the custody of a police officer for a hearing

Section 407 Duelling

Whoever engages in a duel with any deadly weapon or in any manner challenges another to fight such duel shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 408 Libel

Whoever

(a) Writes prints publishes or exhibits any malicious or defamatory libel tending either to blacken the memory of one who is dead or the reputation of one who is alive thereby exposing him to public hatred contempt or ridicule

(b) Maliciously states delivers or transmits by any means whatever to the manager editor publisher reporter or agent of any newspaper magazine publication periodical or serial for publication therein any libelous statement and thereby secures the publication of the same shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 409 Anonymous Communications

Whoever sends to another any written or printed communication or matter which fails to disclose his identity and which is either defamatory scurrilous opprobrious or threatening shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 410 Unsponsored Statements Relating to Candidates

Whoever publishes any printed or written matter designed or tending to injure or defeat any candidate for nomination or election to public office by reflecting upon his personal character or political actions unless such matter is published in a newspaper avowedly responsible therefor or unless there appears upon such matter in a conspicuous place the names of at least two officers of the political or other organization issuing or sponsoring such matter or the name of a duly registered elector with the description of his election district as responsible therefor shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 411 Carrying Deadly Weapons

Whoever carries any deadly weapon on his person or in a vehicle with the intent to commit an assault on any other person shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The jury trying the case may infer such intent where they find from the evidence that the defendant carried such weapon concealed either on his person or in a vehicle

Section 412 Carrying Explosives and Noxious Substances

Whoever carries on his person or in a vehicle any explosive substance or any noxious gas or corrosive substance with the intent to use the same unlawfully against the person or property of another shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 413 Loitering and Prowling at Night Time

Whoever shall be found at night time loitering or prowling around a dwelling house or any other place used wholly or in part for living or dwelling purposes belonging to or occupied by another shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Article V Offenses Against Public Morals and Decency

Section 501 Sodomy

Whoever carnally knows in any manner any animal or

bird or carnally knows any male or female person by the anus or by or with the mouth or whoever voluntarily submits to such carnal knowledge shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Any sexual penetration however slight shall be sufficient to complete the offense of sodomy

Section 502 Bigamy

Whoever having a husband or wife living marries another person whether they cohabit thereafter as man and wife or not shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Such marriages shall be void and the clerk of the court in which such conviction shall be had shall certify the same to the Bureau of Vital Statistics

The above section does not apply to a person whose lawful husband or wife has been absent for five (5) years successively then last passed without being known to him or her within that time to be living and believed by him or her to be dead

Section 503 Single Person Marrying Spouse of Another

Whoever being unmarried marries a married person knowing such person to be married whether they cohabit thereafter as man and wife or not shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Such marriages shall be void and the clerk of the court in which such conviction shall be had shall certify the same to te Bureau of Vital Statistics

Section 504 Adultery

Whoever being married has carnal knowledge of a person of the opposite sex not his lawful spouse shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 505 Fornication

Whoever being unmarried has carnal knowledge of a person of the opposite sex shall be fined not exceeding one hundred dollars (\$100)

Section 506 Incest

Whoever knowingly has carnal knowledge of or marries another within the degrees of consanguinity as defined in the following table shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Degrees of Consanguinity

- (a) A man and his mother his father's sister his mother's sister his sister his daughter and the daughter of his son or daughter
- (b) A woman and her father her father's brother her mother's brother her brother her son and the son of her son or daughter

Section 507 Seduction

Whoever by promise of marriage or by a fraudulent representation that he is married to her seduces any unmarried female of good repute and under the age of twenty-one shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

The promise of marriage shall not be deemed established unless the testimony of the female seduced is corroborated The subsequent marriage of the parties shall be a bar to a prosecution for a violation of this section

Section 508 Prostitution and Assignment

Whoever commits prostitution or uses any premises or vehicle for such purposes or knowingly permits any premises owned by him or under his control to be used for prostitution or assignation or directs takes transports or offers or agrees to direct take or transport any person to any premises or vehicle knowing that the purpose of such directing taking or transporting in prostitution or assignation shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

In the trial of any person charged with the violation of any of the provisions of this section testimony concerning the reputation of the defendant the premises or

vehicle and of the person or persons who reside in or frequent the same shall be admissible

Section 509 Prostitution of or Sexual Intercourse with Female Child

Whoever takes any female under the age of eighteen (18) years from the custody of her parent or other person charged with her care for the purpose of prostitution or sexual intercourse shall be imprisoned not exceeding ten (1) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 510 Permitting Female Child in Places of Vice

Whoever being a parent or other person charged with the care of any female under the age of eighteen (18) years knowingly permits such female to be or remain in any place of prostitution or assignation or in any place wherein narcotics or other drugs are used unlawfully shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

No person shall be incompetent as a witness or his testimony rendered inadmissible by reason of marriage to any person prosecuted under this section

Section 511 Forcing Wife in House of Prostitution

Whoever by force fraud intimidation or threat places his wife or procures any other person to place such wife in a place of prostitution shall be imprisoned not exceeding ten (1) years or fined not exceeding ten thousand dollars (\$10,000) or both

No person shall be incompetent as a witness or his testimony rendered inadmissible by reason of marriage to any person prosecuted under this section

Section 512 Inducing and Fostering Prostitution

Whoever

(a) Solicits procures or induces or receives any consideration for attempting to procure or induce by any means whatsoever any female to become a prostitute within this Commonwealth or to enter or to leave this Commonwealth for such purpose

(b) For no consideration receives levies or appropriates any of the earnings of any prostitute or the proprietor of any house of prostitution

(c) Knowingly detains or attempts to detain any female in any house of prostitution because of a debt she has contracted or is said to have contracted while living in such house

(d) Knowingly for personal gain transports by any vehicle into through or across this Commonwealth any female for the purpose of prostitution

shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 513 Forced Marraige

Whoever by force or threats of bodily injury compels a person to marry shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 514 Disorderly House

Whoever keeps and maintains a disorderly house to the common nuisance or disturbance of the neighborhood or orderly citizens shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 515 Loitering in Disorderly or Bawdy House

Whoever having no trade or occupation stays frequents or loiters in any house of prostitution or assignation or disorderly house shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 516 Indecent Liberties

Whoever takes indecent liberties with the person of any child of either sex under the age of sixteen (16) years shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 517 Public Indecency

Whoever wilfully and publicly does any act of lewdness or indecency shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 518 Public Exhibition of Defective Persons

Whoever publicly exhibits in any place for any con-

sideration any deformed or mentally unsound person shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 519 Removal of Body from Tomb

Whoever wilfully and unlawfully opens any tomb grave or other place wherein human bodies are interred and removes any body or remains therefrom shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 520 Blasphemy

Whoever wilfully and premeditatedly blasphemes God Jesus Christ the Holy Spirit or the Holy Scriptures shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 521 Obscenity

Whoever

(a) Maintains or has control of any premises or equipment and knowingly permits another to use such premises or equipment for the production or reproduction of any obscene lewd sacrilegious or indecent matter

(b) Produces or reproduces any obscene lewd sacrilegious or indecent matter

(c) Sells publishes advertises or distributes or possesses for sale publication advertisement or distribution any obscene lewd sacrilegious or indecent matter

(d) Publishes or advertises information as to where any obscene lewd sacrilegious or indecent article matter show or other representation can be purchased obtained seen heard or otherwise had

(e) Makes any obscene lewd sacrilegious or indecent writing drawing or other representation in any public place

(f) Gives or participates in or being the owner of any premises or having control thereof permits within such premises any obscene lewd sacrilegious or indecent theatrical performance motion picture pictorial or auditory representation.

(g) In any manner exhibits any obscene lewd sacrilegious or indecent article or matter shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 522 Unlawful Medical Practices

Whoever prints publishes advertises sells distributes or possesses for sale or distribution any information concerning or maintains or having control of any premises knowingly permits another to maintain such premises for the printing publication advertisement sale or distribution of

(a) Any drug nostrum medicine or instrument purporting to be for the use of females to prevent conception or to procure abortion

(b) Any treatment or cure for the diseases of the generative organs

(c) Any treatment or cure for diseases peculiar to females

(d) Any treatment or cure for venereal disease or sexual weakness or impotency

(e) Any treatment or cure for drug addiction or sexual malhabits shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The above section shall not apply to the lawful practice of medicine or instructions or publications incidental thereto

Article VI

Offenses Against

Public Policy Economy and Health

Section 601 Lotteries

Whoever

(a) Sets up or maintains any lottery or numbers game
(b) Manufactures or prints or sells exposes to sale or has in his possession with intent to sell any lottery or numbers ticket or share or any writing token or other device purporting or intending to entitle the holder or

bearer or any other person to any prize to be drawn or obtained in any lottery or numbers game

(c) Publishes any advertisement of any lottery or numbers game

shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

The purchaser of any such ticket or device shall not be liable to any prosecution or penalty arising out of this crime and shall in all respects be a competent witness to prove the offense

All lotteries or numbers games are hereby declared to be common nuisances Every transfer of property which shall be in pursuance of any lottery or numbers game is hereby declared to be invalid and void

Section 602 Gambling

Whoever

(a) Makes assembles sets up maintains repair sells lends leases gives away or offers for sale loan lease or gift or has in his possession for the purpose of setting up maintaining selling lending leasing giving away or repairing and device to be used for gambling purposes

(b) Allows persons to collect and assemble for the purpose of gambling at any place under his control

(c) Solicits or invites any person to visit any gambling place

(d) Engages in gambling for a livelihood

(e) Is without any fixed residence and is in the habit or practice of gambling

(f) Being the owner tenant lessee or occupant of any premises permits or suffers the same or any part thereof to be used for the purpose of gambling shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 603 Pool Selling and Book Making

Whoever

(a) Engages in pool selling or book making

(b) Occupies any place for the purpose of receiving recording or registering bets or wagers or of selling pools

(c) Receives records registers forwards or purports or pretends to forward to others any bets or wagers upon the result of any political nomination appointment or election or upon any contest of any nature

(d) Being the owner lessee or occupant of any premises permits or suffers the same to be used or occupied for any of such purposes

(e) Becomes the custodian or depository for gain or reward of any property staked wagered or pledged or to be staked wagered or pledged upon any such result shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 604 Opium Joints

Whoever

(a) Sets up establishes maintains keeps or exhibits any apparatus device or instrument whereby any narcotics opiates or habit forming drugs may be used unlawfully in any manner by other persons

(b) Procures permits suffers or allow persons to be at a place under his control for the purpose of using unlawfully any narcotics opiates or habit forming drugs in any manner

(c) Solicits invites or prevails upon any person to visit any place kept for the purpose of using unlawfully any narcotics opiates or habit forming drugs

(d) Being the owner tenant lessee or occupant of any premises leases hires or rents the same or any part thereof to be used and occupied for the purpose of using unlawfully any narcotics opiates or habit forming drugs in any manner

shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 605 Frequenting Opium Joints

Whoever uses narcotics opiates or habit forming drugs in any place set up or established for the unlawful use thereof shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 606 Public Nuisances

Whoever erects sets up establishes maintains keeps up or continues any public or common nuisance shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Where the nuisance is in existence at the time of the conviction and sentence the court in its discretion may direct either the defendant or the sheriff of the county at the expense of the defendant to abate the same

All obstructions to private roads laid out according to law shall be nuisances which would be nuisances in cases of obstructions to public roads or highways

Section 607 Excessive Sports

Whoever promotes manages or participates in any athletic contest or exhibition in which any contestant shall take part for more than twelve (12) hours in any calendar day shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 608 Bribery in Athletic Contests

Whoever

(a) Gives promises or offers or conspires to give promise or offer to any player who participates or expects to participate in any professional or amateur game contest race or sport or to any manager coach or trainer of any team or individual or participant or prospective participant in any such professional or amateur game contest race or sport any bribe or money of present or future contract or any valuable thing whatsoever with intent to influence him or them to lose or cause to be lost any game contest race or sport or to limit his or their or any team's margin of victory in any game contest race or sport or to fix or throw any game contest race or sport

(b) Being a professional or amateur athlete or manager coach or trainer or other person in any way connected with any professional or amateur athlete or team or who participates or expects to participate in any professional or amateur game contest race or sport receives or accepts or agrees to receive or accept or who solicits or who conspires to receive or accept any bribe or any money or any present or future contract or any valuable thing whatsoever with intent to lose or cause to be lost any game contest race or sport or to limit his or their or any person's or any team's margin of victory in any game contest race or sport or to fix or throw any game contest race or sport

shall be sentenced to pay a fine not exceeding two thousand dollars (\$2000) or to undergo imprisonment not exceeding two (2) years or both

Section 609 Tramps

Whoever goes about from place to place begging asking or subsisting upon charity and for the purpose of acquiring money or a living and who has no fixed place of residence or lawful occupation in the county or city in which he is arrested shall be deemed to be a tramp and shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section does not apply to any minor under the age of sixteen (16) years nor to any blind deaf or dumb person nor to any maimed or crippled person who is unable to perform manual labor

Section 610 Tramps Entering Building etc.

Whoever being a tramp

(a) Enters any premises against the will or without the permission of the owner or occupant thereof

(b) Kindles any fire on the highway or on the premises of another without the owner's consent

(c) Is found carrying any firearm or other dangerous weapon with intent unlawfully to do injury to or intimidate any other person such intent may be inferred where it is found from the evidence that the defendant is a tramp and is so armed

(d) Does or threatens to do any injury not amounting to a felony to any person or to the property of another

shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

This section does not apply to any minor under the

age of sixteen (16) years nor to any blind deaf or dumb person nor to any maimed or crippled person who is unable to perform manual labor

Section 611 Shooting on Grounds of Hospitals Parks etc

Whoever discharges a firearm of any description except in defense of person or property or with the written consent of the owner or person controlling the same upon the fenced and posted grounds belonging to or connected with and controlled by those operating a public or private hospital or sanitarium or park or resort set apart to the use of the public and upon which human beings congregate shall upon conviction thereof in a summary proceeding be fined not exceeding twenty-five dollars (\$25.00) for the first offense and in default of payment thereof shall be imprisoned not exceeding ten (10) days For each subsequent offense the offender shall be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Such lands shall be deemed fenced and posted if surrounded by a fence or single wire designating the boundaries thereof and posted with printed or painted notices not more than one hundred (100) yards apart along the line of the fence or wire stating the purpose for which the lands are set apart and that shooting on the lands is prohibited No privilege to hunt for game on such land shall be given by the owner or operator thereof to any person

Every peace officer and game protector shall arrest on view without warrant any person found violating any provision of this section

Section 612 Implements Discharging Pellets etc in Cities or Boroughs

Whoever without lawful excuse discharges within the limits of any city borough town or in the built-up portion of any township an implement which impels with force a pellet or pellets of any kind shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

This section shall not apply to the discharge of such implements upon properly constructed pistol or rifle ranges

Section 613 Sale Loan or Lease of Weapons and Explosives to Minors

Whoever sells or exposes for sale loans or leases to any person under the age of sixteen (16) years and deadly weapon cartridge gun powder or other similar dangerous explosive substance shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 614 Manufacture and Sale of Toy Weapons

Whoever makes manufactures sells or exposes for sale any toy weapon capable of discharging a cartridge or other explosive shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section shall not be construed to prescribe the manufacture or sale of legitimate firearms

Section 615 Uniform Firearms Act

(a) Definitions As used in this section

"Firearm" means any pistol or revolver with a barrel less than twelve inches any shotgun with a barrel less than twenty-four inches or any rifle with a barrel less than fifteen inches

"Crime of violence" means any of the following crimes or an attempt to commit any of the same namely Murder rape mayhem aggravated assault and battery assault with intent to kill assault with intent to commit a crime robbery burglary breaking and entering with intent to commit a felony felonious entry and kidnapping

(b) Crimes Committed with Firearms If any person shall commit or attempt to commit a crime of violence when armed with a firearm contrary to the provisions of this section he may in addition to the punishment provided for the crime be punished also as provided by this section

(c) Former Convict Not to Own a Firearm etc No

person who has been convicted in this Commonwealth or elsewhere of a crime of violence shall own a firearm or have one in his possession or under his control

(d) Firearms Not to be Carried Without a License Exceptions No person shall carry a firearm in any vehicle or concealed on or about his person except in his place of abode or fixed place of business without a license therefore as hereinafter provided

The provisions of clause (d) shall not apply (I) to constables sheriffs prison or jail wardens or their deputies policemen of the Commonwealth or its political subdivisions or other law-enforcement officers (II) or to members of the army navy or marine corps of the United States or of the national guard or organized reserves when on duty (III) or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this Commonwealth (IV) or to the members of any organization incorporated under the laws of this Commonwealth engaged in target shooting with rifle pistol or revolver provided such members are at or are going to or from their places of assembly or target practice (V) or to officers or employees of the United States duly authorized to carry a concealed firearm (VI) or to agents messengers and other employees of common carriers banks or business firms whose duties require them to protect moneys valuables and other property in the discharge of such duties (VII) or to any person engaged in the business of manufacturing repairing or dealing in firearms or the agent or representative of any such person having in his possession using or carrying a firearm in the usual or ordinary course of such business (VIII) or to any person while carrying a firearm unloaded and in a secure wrapper from the place of purchase to his home or place of business or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another (IX) or to persons licensed to hunt or fish in this Commonwealth provided that such persons are actually hunting or fishing or are going to the places where they desire to hunt or fish or returning from such places or to persons training dogs Provided That such persons are actually training dogs during the regular training season Provided however That before any such exemption shall be granted to any person licensed to hunt or fish or who desires to train dogs such person shall at the time of securing his hunting or fishing license or any time after any such license has issued register with the county treasurer the make of the firearm he desires to carry and the caliber and number thereof on a blank to be furnished by the Secretary of the Commonwealth The original registration shall be delivered to the person registering such firearm and a copy thereof shall be forwarded by the county treasurer to the Secretary of the Commonwealth The county treasurer shall be entitled to collect a fee of fifteen (15) cents for each such registration of a firearm The registration of a firearm as herein provided shall be good only for the year for which the hunting or fishing license in connection with which it is granted is issued

Any such registration of a firearm may be revoked by the county treasurer issuing the same upon written notice to the holder thereof and any person aggrieved by the action of a county treasurer in revoking such registration may appeal from such action in the manner provided by clause (j) of this section

(e) Police Heads in Cities and Sheriffs in Counties May Issue Licenses in Triplicate Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of a county may upon the application of any person issue a license to such person to carry a firearm in a vehicle or concealed on or about his person within this Commonwealth for not more than one (1) year from date of issue if it appears that the applicant has good reason to fear an injury to his person or property or has any other

proper reason for carrying a firearm and that he is a suitable person to be so licensed The license shall be in triplicate in form to be prescribed by the Secretary of the Commonwealth and shall bear the name address description and signature of the licensee and the reason given for desiring a license The original thereof shall be delivered to the licensee the duplicate shall within seven days be sent by registered mail to the Secretary of the Commonwealth and the triplicate shall be preserved for six years by the authority issuing said license The fee for issuing such license shall be fifty (50) cents which fee shall be paid into the county treasury except that if the applicant exhibits a resident hunter's license issued to him for the current license year the fee shall not be charged

Any such license to carry firearms may be revoked by the person issuing the same at any time upon written notice to the holder thereof

(f) Persons to Whom Delivery Shall Not Be Made No person shall deliver a firearm to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence or is a drug addict an habitual drunkard or of unsound mind

(g) Time and Manner of Delivery Statement to be Signed by Purchaser Sales at Wholesale No seller shall deliver a firearm to the purchaser thereof until forty-eight (48) hours shall have elapsed from the time of the application for the purchase thereof and when delivered said firearm shall be securely wrapped and shall be unloaded At the time of applying for the purchase of a firearm the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name address occupation color place of birth the date and hour of application the caliber length of barrel make model and manufacturer's number of the firearm to be purchased and a statement that he has never been convicted in this Commonwealth or elsewhere of a crime of violence The seller shall within six hours after such application sign and attach his address and forward by registered mail one copy of such statement to the chief or head of the police force or police department of the city or the sheriff of the county of which the seller is a resident the duplicate duly signed by the seller shall within seven days be sent by him with his address to the Secretary of the Commonwealth the triplicate he shall retain for six (6) years This clause shall not apply to sales at wholesale

(h) Retail Dealer Required to be Licensed No retail dealer shall sell or otherwise transfer or expose for sale or transfer or have in his possession with intent to sell or transfer any firearm without being licensed as hereinafter provided

(i) Issuance of Licenses Form to be Prescribed by Secretary of Commonwealth Conditions Display of Firearms Prohibited License Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of the county shall grant to reputable applicants licenses in form prescribed by the Secretary of the Commonwealth effective for not more than one (1) year from date of issue permitting the licensee to sell firearms direct to the consumer subject to the following conditions in addition to those specified in clause (g) hereof for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this section

I The business shall be carried on only in the building designated in the license

II The license or a copy thereof certified by the issuing authority shall be displayed on the premises where it can easily be read

III No firearm shall be sold (a) in violation of any provision of this section nor (b) shall a firearm be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity

IV A true record in triplicate shall be made of every firearm sold in a book kept for the purpose the

form of which may be prescribed by the Secretary of the Commonwealth and shall be personally signed by the purchaser and by the person effecting the sale each in the presence of the other and shall contain the date of sale the caliber make model and manufacturer's number of the firearm the name address occupation color and place of birth of the purchaser and a statement signed by the purchaser that he has never been convicted in this Commonwealth or elsewhere of a crime of violence

One copy shall within six (6) hours be sent by registered mail to the chief or head of the police force or police department of the city or the sheriff of the county of which the dealer is a resident the duplicate the dealer shall within seven (7) days send to the Secretary of the Commonwealth the triplicate the dealer shall retain for six (6) years

V No firearm or imitation thereof or placard advertising the sale thereof shall be displayed in any part of any premises where it can readily be seen from the outside

The fee for issuing said license shall be ten dollars (\$10.00) which fee shall be paid into the county treasury

VI Any license granted under this clause may be revoked by the person issuing the same upon written notice to the holder thereof

(j) Petition to Common Pleas for Reversal Any applicant aggrieved by the refusal of his application for a license to carry a firearm or for a dealer's license or any person or retail dealer whose license has been revoked may file within thirty (30) days thereafter in the court of quarter sessions of his county a petition against the official who refused his application as defendant alleging therein in brief detail the refusal complained of and praying for reversal thereof Upon service of a copy of the petition upon the defendant returnable within ten (10) days from its date the defendant shall on or before the return day file an answer in which he may allege by way of defense the reason for his refusal and such other reasons as may in the meantime have been discovered Upon application of either party the cause shall be heard without delay The court may either sustain or reverse the action of the defendant If the defendant's action is reversed he shall forthwith issue the license upon payment of the fee A judgment sustaining a refusal to grant a license shall not bar after one (1) year a new application nor shall a judgment in favor of the petitioner prevent the defendant from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur The court shall have full power to dispose of all costs

(k) Loans on or Landing or Giving Firearms Prohibited No person shall make any loan secured by mortgage deposit or pledge of a firearm nor shall any person lend or give a firearm to another or otherwise deliver a firearm contrary to the provisions of this section

(l) False Evidence of Identity No person shall in purchasing or otherwise securing delivery of a firearm or in applying for a license to carry the same give false information or offer false evidence of his identity

(m) Altering or Obliterating Marks of Identification No person shall change alter remove or obliterate the name of the maker model manufacturer's number or other mark of identification on any firearm Possession of any firearm upon which any such mark shall have been changed altered removed or obliterated shall be prima facie evidence that the possessor has changed altered removed or obliterated the same

(n) Antique Firearms This section shall not apply to antique firearms unsuitable for use and possessed as curiosities or ornaments

(o) Violation Penalty Whoever violates any of the provisions of this section shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

(p) Short Title This section may be cited as the "Uniform Firearms Act"

(q) Uniformity This section shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it Section 616 Traffic in Machine Guns

Whoever sells gives transfers purchases owns or has in his possession any machine gun shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Nothing contained in this section shall prohibit the manufacture for and sale of machine guns to the military forces of the United States or of the Commonwealth of Pennsylvania or to any police department of this Commonwealth or of any political subdivision thereof nor shall prohibit the purchase or possession of machine guns by such governments and departments nor shall prohibit any organization branch camp or post of veterans or any veteran in any war in which the United States was engaged from owning and possessing a machine gun as a relic providing the same has been rendered useless as a weapon and a permit for such ownership or possession has been obtained from the sheriff of the county which permit is at all times attached to such machine gun Any sheriff upon application and the payment of a fee of one dollar (\$1.00) may issue permits for the ownership and possession of machine guns by veterans and organizations branches camps or posts of veterans upon production to the sheriff of such evidence as he may require that the organization branch camp or post is a bona fide organization of veterans or that any such veteran applicant is a veteran of good moral character and reputation and that the ownership and possession of such machine gun is actually desired as a relic and that the same has been rendered useless as a weapon

Section 617 Commission of Crime when Armed with Machine Gun

Whoever commits or attempts to commit any crime while armed with a machine gun shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

The punishment imposed under this section shall be in addition to any punishment imposed for the crime committed or attempted while so armed and shall not run concurrently with such sentence

Section 618 Unlawful Firecrackers Fireworks etc

Whoever manufactures sells or offers for sale or has in his possession with intent to sell any firecrackers or fireworks containing picric acid or picrates dynamite or other high explosive or any blank cartridge pellet or tablet composed of dynamite or other high explosive to be used in pistols hollow canes or any toy for explosive purposes or any firecrackers containing gunpowder or any other explosive material over six inches in length or any firecracker from three and one-half inches to six inches in length which shall be more than three-quarters of an inch in diameter or any firecracker to the length of three and one-half inches which shall be more than one inch in diameter or any species of pyrotechnics fireworks tablets pellets or cartridges containing picric acid or picrates dynamite or any other high explosive shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 619 Fire Balloons

Whoever sells or exposes for sale or buys or exchanges or gives away or has in his possession any balloon made or intended to contain fire for the purpose of ascension or sends up or causes to ascend any balloon containing in or about it any fire shall be imprisoned not exceeding sixty (60) days or fined not exceeding two hundred dollars (\$200) or both

This section does not apply to a balloon in which a human being ascends

Section 620 Dealing in Minors

Whoever trades barter buys or sells a minor shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 621 Out-of-State Convict-Made Goods

Whoever sells or exchanges on the open market any goods wares or merchandise prepared or manufactured wholly or in part by convicts or prisoners of other states except convicts or prisoners on parole or probation shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 622 Unwholesome Provisions and Adulterated Liquors and Medicines

Whoever knowingly sells or exposes for sale any unwholesome adulterated or diseased food drink or medicine and whoever adulterates any food drink or medicine for the purpose of sale shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

Section 623 Dressed Carcasses of Lamb and Sheep

Whoever imports or sells any dressed carcasses of lamb or sheep without first removing from each carcass all hoofs shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

Section 624 Methyl and Wood Alcohol in Preparations

Whoever knowingly sells or offers or exposes for sale or has in his possession with intent to distribute or sell any food drug preparation or mixture of any kind intended for internal use which contains methyl or wood alcohol or knowingly sells or offers or exposes for sale or has in his possession with intent to sell or distribute or use upon or apply to the body of another any drug hair tonic bay rum or similar preparations intended for external use which contains methyl or wood alcohol shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

This section does not apply to veterinary remedies containing methyl or wood alcohol when such remedies are plainly and distinctly labeled in such manner as to indicate that they are intended solely for external use on animals nor does this section apply to medicated liniments used for external use

Section 625 Sale of Poisons

Whoever sells or disposes of by retail any morphia strychnia arsenic prussic acid carbolic acid or corrosive sublimate except upon the prescription of a physician or upon the personal application of some respectable inhabitant of full age of the town or place in which such sale shall be made and without carefully and legibly marking or placing upon the label package bottle or other vessel or thing in which such poison is contained the word poison and unless when sold or disposed of otherwise than under the prescription of a physician the apothecary druggist or other person selling or disposing of the same notes in a register kept for that purpose the name and residence of the person to whom such sale was made the quantity sold and the date of such sale shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 626 Pollution of Drinking Water

Whoever poisons or pollutes water intended for drinking purposes shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 627 Employment and Use of Minors

Whoever being a parent or other person charged with the care of any minor under the age of eighteen (18) years permits such minor to be employed or used in and whoever employs or uses such minor in

(a) Any exhibition or vocation dangerous to life or limb

(b) Any place where obscene indecent or illegal exhibition takes place

(c) Any street road or highway for the purpose of singing playing of musical instrument or begging

(d) Any place where wines or spiritous liquors are sold or given away or in any place connected by a passageway of entrance therewith

(e) Any mine or other underground works shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 628 Employment and Use of Minors in Theatres et cetera

Whoever employs or uses any minor under the age of sixteen (16) years in any dance hall theatre or place of entertainment shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 629 Employment of Minors Without Consent of Parents or other Person Charged with the Care Thereof

Whoever employs or uses any minor under the age of eighteen (18) years for the purpose of taking part in any theatrical performance athletic exhibition or for singing or playing on musical instruments without the consent of such minor's parent or other person charged with the care of such minor shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 630 Admission of Minors to Theatres

Whoever being in charge of any theatre permits any minor under the age of sixteen (16) years to attend any performance in such theatre during the term of compulsory attendance of public schools as fixed by the Board of School Directors and during the hours the schools in such district are in attendance unless the minor be accompanied by his parent or other responsible adult or unless such minor presents a permit signed by his teacher allowing him to be absent from school during school hours and permitting attendance at the theatre shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding fifteen (15) days

Section 631 Sale or Furnishing of Tobacco to Minors

Whoever sells gives or furnishes cigarette papers or tobacco in any form to any minor under the age of sixteen (16) years shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 632 Pawn Brokers Dealing with Minors

Whoever being a pawn broker or employee of a pawn broker makes a loan to a minor under the age of eighteen (18) years or receives property from such minor in pledge for loans made or to be made to such minor or to any other person shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 633 Pool and Billiard Rooms and Bowling Alleys

Whoever being a proprietor of or person in charge of any public pool room billiard room bowling saloon or tennis alley permits such place to remain open between the hours of one o'clock Ante Meridian and six o'clock Ante Meridian on any week day or during any part of Sunday or knowingly allows any minor under the age of eighteen (18) years unless accompanied by his parent or other person charged with the care of such minor to be present in such places shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 634 Discrimination on Account of Race Creed or Color

All persons within the jurisdiction of this Commonwealth shall be entitled to the full and equal accommodations advantages facilities and privileges of any places of public accommodation resort or amusement subject only to the conditions and limitations established by law and applicable alike to all persons

Whoever acting in any capacity directly or indirectly

refuses withholds from or denies to any person any of the accommodations advantages facilities or privileges of any place of public accommodation resort amusement or means of transportation or directly or indirectly publishes circulates issues displays posts or mails any written or printed communication notice or advertisement to the effect that any of the accommodations advantages facilities and privileges of any such places shall be refused withheld from or denied to any person on account of race creed color religious sect denomination or nationality or that the patronage or custom thereof of any person belonging to or purporting to be of any particular race creed color religious sect denomination or nationality is unwelcome objectionable or not acceptable desired or solicited shall be imprisoned not exceeding ninety (90) days or fined not exceeding one hundred dollars (\$100) or both

The production of any such written or printed communication notice or advertisement purporting to relate to any such place and to be made by any person being the owner lessee proprietor superintendent or manager thereof shall be evidence in any civil or criminal action that the same was authorized by such person

A place of public accommodation resort amusement or means of transportation shall be deemed to include inns taverns roadhouses and hotels whether conducted for the entertainment of transient guests or for the accommodation of those seeking health recreation or rest all places where food or beverages of any kind are retailed for consumption on the premises and all places to which the public resort or are invited for amusement pleasure education health transportation or business and to include all facilities thereof

Nothing contained in this section shall be construed to include any institution club or place of accommodation resort or amusement which is in its nature distinctly private or to prohibit the mailing of a private communication in writing sent in response to a specific written inquiry

Section 613 Distribution of Samples of Candy Medicine Dyes etc

Whoever distributes or desopits any package parcel or sample of any medicine candy dyeing ink coloring or polishing compounds in any form of preparation upon the ground sidewalks porches yards or into or under doors or windows so that children may get possession of or secure the same shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days Nothing contained in this section shall prohibit such distribution to adults persons only

Section 636 Vending Machines and Mechanical Devices for Distribution of Drugs

Whoever offers for sale or sells or distributes by means of any vending machine or other mechanical device or uses any vending machine in or for the sale or distribution of any medicine drug poison or article intended for external or internal use in the cure mitigation treatment or prevention of disease in man or animal shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The term "drug" as used in this section shall mean all medicinal substances and preparations recognized in the United States Pharmacopoeia and National Formulary or any supplements thereto and all substances and preparations intended for external or internal use in the cure mitigation treatment or prevention of disease in man or animal and all substances and preparations that contain medicinal or quasi-medicinal preparations such as those sold or produced primarily for their vitamine content intended to affect the structure or any function of the body of man or animal

Section 637 Carrying Explosives on Public Conveyance

Whoever enters into or upon any public conveyance used for the carrying of freight or passengers having in his possession or on his person any nitro-glycerine dynamite or explosives of the character thereof other than as freight regularly shipped as such shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The conductor or person having charge and control of such public conveyance may arrest any person found violating the provisions of this section and detain such person until reaching a place where such person may be delivered to a peace officer

Section 638 Shipping Explosives

Whoever knowingly delivers to any transportation company any explosive material under any false or deceptive invoice or description or without informing such company at or before the time when such delivery is made of the true nature of the same and without having the keg barrel can or package containing the same plainly marked with the name of the explosive material therein contained and together with the word "dangerous" article shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both and shall be responsible for all damages to persons or property directly or indirectly resulting from the explosion of any such article

Any transportation company upon affidavit made of the fact that any container tendered for transportation not in compliance with the provisions of this section is believed to contain explosive material may require such container to be opened and refuse to receive any such container unless such requirement is complied with If such container is opened and found to contain any explosive material the container and its content shall be forthwith removed to any lawful place for the storing of explosives After conviction of the offender or after three (3) months from such removal the container with its contents shall be sold at public sale after the expiration of ten (10) days from notice of the time and place of such sale published in one (1) newspaper in the county where such seizure shall have been made The proceeds of such sale after deducting therefrom the expenses of removal storage advertisement and sale shall be paid into the treasury of the county

Section 639 Railroad Employee Abandoning Trains

Whoever being a railroad employee engaged in any strike or with a view to incite others to such strike or in furtherance of any combination or preconcerted arrangement with any other person to bring about a strike abandons a passenger or freight train at any place other than the end of his scheduled run or refuses or neglects to continue to discharge his duty or to proceed with such train to the end of his scheduled run shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

Section 640 Railroad Employee Refusing to Remove Car

Whoever being a railroad employee for the purpose of furthering the object of or lending aid to any strike or strikes organized or attempted to be maintained on any other railroad refuses or neglects in the course of his employment to aid in the movement over and upon the tracks of the company employing him of the cars of such other railroad company received therefrom in the course of transit shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

Section 641 Interfering with Railroad Employee

Whoever in aiding or furtherance of the objects of any strike upon any railroad interferes with molests or obstructs any railroad employee engaged in the discharge and performance of his duty as such shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

Section 642 False Fire Alarm

Whoever knowingly gives turns in or raises a false alarm of fire or falsely gives any common or recognized alarm of fire shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 643 Receiving Property to Secure Employment

Whoever being an officer or employee of any employer

of labor solicits demands or receives from any person any property for the purpose actual or alleged of obtaining for such person employment in the service of said employer or the continuing of such person in employment shall be imprisoned not exceeding one (1) years or fined not exceeding one thousand dollars (\$1000) or both

Section 644 Corruption of Agents Servants Employees and Fiduciaries

Whoever

(a) Offers or gives to any agent employe fiduciary or servant of another or to a member of his family or to anyone for his use or benefit any property without the knowledge and consent of the principal employer beneficiary or master as an inducement or reward for doing or omitting to do any act or for showing or forbearing to show any favor or disfavor by such agent employe fiduciary or servant in relation to the affairs or the business of his principal employer beneficiary or master

(b) Being an agent employe fiduciary or servant solicits accepts receives or takes any property as an inducement or reward for doing or omitting to do any act or for showing any favor or disfavor in relation to the affairs or the business of his principal employer beneficiary or master

shall be imposed not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Nothing contained in this section shall apply to transactions between a principal employer beneficiary or master and his agent employe fiduciary or servant nor to that practice which is commonly known as "tipping"

Evidence shall not be admissible in any prosecution under this section to show that a gift or acceptance of any property is customary in any business trade or calling nor shall the customary nature of such transactions be any defense in any such proceeding or prosecution

Section 645 Using False Document with Intent to Defraud Employer

Whoever with intent to defraud

(a) Uses or gives to any agent employe or servant of another any receipt account invoice or other document in respect of which such other is interested which contains any statement which is false erroneous or defective in any material particular or which omits to state fully the fact of any property having been given or agreed to be given to such agent employe or servant

(b) Being an agent employe or servant of another approves or certifies such receipt account invoices or other document

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Nothing in this section shall apply to that practice which is commonly known as "tipping"

Evidence shall not be admissible in any prosecution under this section to show that a gift or acceptance of any property is customary in any business trade or calling nor shall the customary nature of such transaction be any defense in any such prosecution

Section 646 Coercion of Employees

Whoever being an employer or an officer agent or employee of any employer

(a) Coerces any employe of such employer by discharging him from employment because of his connection with any lawful labor organization

(b) Exacts from any applicant for employment by such employer any promise or agreement not to form or belong to a lawful labor organization

(c) In any way prevents or endeavors to prevent any employe from forming joining or belonging to a lawful labor organization

(d) Intimidates or threatens any employe with the loss of employment for failing or refusing to affix his signature to any petition which such employe has been solicited or requested to sign

(e) Interferes by any means direct or indirect with an employe's free and untrammelled connection with a lawful labor organization

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 647 Discontinuing Water Supply for Fire Protection

Whoever has undertaken to supply any city borough town or township with water for the purpose of fire protection and for any reason cuts off or otherwise refuses to continue the supply of water for such purposes unless and until water for such purposes is available from other sources without first having secured the approval of the Public Utility Commission of the Commonwealth of Pennsylvania evidenced by its certificate of public convenience authorizing discontinuance of such service shall be fined not exceeding one hundred dollars (\$100) for each day of such discontinuance

Section 648 Withholding and Destroying Papers of Service Men

Whoever having possession or control of the commission or discharge papers of any officer or former member of the armed forces of the United States

(a) Withholds the same from the party named in such commission or discharge when he demands possession thereof

(b) Wilfully destroys mutilates or makes away with such commission or discharge to the prejudice of the owner thereof

(c) Delivers the same to any person other than the party named therein without the written request of such owner or former member of the armed forces of the United States

(d) In case of the death of the party named in such commission or discharge fails or refuses to deliver up the same on the written request of the widow or the legal representative of such officer or former member of the armed forces of the United States

shall be imprisoned not exceeding three (3) months or fined not exceeding one hundred dollars (\$100) or both

Section 649 Sale of Diplomas

Whoever being an officer agent or employe of any university college or other institution empowered to grant academic degrees honorary or otherwise

(a) Confers the same upon any person in consideration of the payment or promise of payment of property by any person

(b) Knowingly signs a diploma or other instrument purporting to confer an academic degree when such property has been paid or promised to be paid

shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 650 Misrepresentation of Age by Minor to Secure Liquor

Whoever knowingly and falsely represents himself or another to be twenty-one (21) years of age or over for the purpose of procuring any intoxicating liquor shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 651 Ticket Scalping

Whoever upon the public streets or highways or in front of any theatre place of amusement or entertainment

(a) Sells barter or exchanges or offers for sale barter or exchange a ticket of admission to such theatre place of amusement or entertainment

(b) Exchanges a ticket of admission to any theatre place of amusement or entertainment for a price higher than the price stamped upon said ticket

shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 652 Loan of Public Money

Whoever being an officer of this Commonwealth or of any political subdivision thereof lends other than as provided by law with or without interest or return thereof any property received by him or which may be in his possession or under his control by virtue of his office shall be imprisoned not exceeding five (5) years or fined no

exceeding five thousand dollars (\$5000) or both and as a part of the judgment of the court he shall be removed from office and the office declared vacant

Section 653 Deposit of Public Money for Gain

Whoever being an officer of this Commonwealth or of any political subdivision thereof enters into any agreement by which said officer is to derive any benefit gain or advantage from the deposit with any person or banking institution of any property held by him or which may be in his possession or under his control by virtue of his office shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both and as a part of the judgment of the court he shall be removed from office and the office declared vacant

Section 654 Payment of Public Money Without Authority

Whoever
(a) Being the State Treasurer pays any money out of the State Treasury except in accordance with the provisions of an Act of Assembly

(b) Being an officer of this Commonwealth authorizes the payment of any money by warrant or otherwise out of the State Treasury in excess of the amount specifically appropriated

shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both and as a part of the judgment of the court he shall be removed from office and the office declared vacant

Section 655 Prohibited Acts by Public Officers

Whoever being a councilman burgess trustee manager or director of any public or quasi-public corporation municipality or public institution or an officer or member other than ex officio of the board of managers of an institution receiving State money from legislative appropriations

(a) Receives a salary from such corporation municipality or public institution as treasurer secretary or other officer subordinate to the president and directors thereof

(b) Acts as surety of any such officer

(c) Is in any wise interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of such corporation municipality or public institution

(d) Receives any remuneration or gratuity from any person interested in such contract or sale shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both and as a part of the judgment of the court he shall be removed from office and the office declared vacant

Section 656 Interest of Certain Architects and Engineers in Public Work Contracts

Whoever

(a) Being an architect or engineer in the employ of this Commonwealth or of any political subdivision thereof and engaged in the preparation of plans specifications or estimates bids on any public work at any letting of such work

(b) Being any such architect or engineer is in any way interested in any contract for public work or receives any remuneration or gratuity from any person interested in such contract

(c) Being an officer of this Commonwealth or of any political subdivision thereof charged with the duty of letting any public work awards a contract to any such architect or engineer shall upon conviction be removed from office and the office declared vacant and shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 657 Restrictions Upon Cashiers or Treasurers of Banking Institutions and Certain Fiscal Officers

Whoever being the cashier or treasurer of any bank trust company or bank and trust company engages directly or indirectly in the business of buying or selling stock real estate or insurance shall be imprisoned not

exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Nothing contained in this section shall prevent such cashier or treasurer from being a member of the board of directors or board of trustees of the institution of which he is a cashier or treasurer

Section 658 Disclosure of Telegraphic and Telephonic Communications by Officers and Employees of Telegraph and Telephone Companies

Whoever being a servant agent employee or officer of a telegraph or telephone company uses or makes known the contents of any message or conversation which may be sent or received over any line of telegraph or telephone without the consent of the sender or receiver of the same shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 659 Unlawful Advertising of Insurance Business

Whoever

(a) Prints publishes or broadcasts by radio any advertisement or notice setting forth the advantages of insuring with or soliciting insurance business for any person not authorized to do business in this Commonwealth

(b) Accepts for publication printing or broadcasting any such advertisement or notice unless the printer publisher or broadcaster has in his possession a true and attested or photostatic copy of a certificate of authority from the Insurance Department authorizing the advertiser to do business in this Commonwealth shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Such certificate shall be issued by the Insurance Department to any person applying therefor

Section 660 Driving Animals While Intoxicated

Whoever being under the influence of intoxicating liquors rides drives or leads any beast of burden on the public highways of this Commonwealth shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 661 Marrying Intoxicated Persons

Whoever performs the marriage ceremony between persons when either of said persons is visibly intoxicated shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 662 Throwing Articles on Highways or Upon Land of Another

Whoever

(a) Throws any waste paper sweepings ashes household waste glass metal refuse or rubbish or any dangerous or detrimental substance into or upon any road street highway or alley or upon the land of another

(b) Interferes with scatters or disturbs the contents of any receptacle containing ashes garbage household waste or rubbish

shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 663 Steam Engine Without Spark Arrester

Whoever operates any steam engine within three hundred (300) feet of any building unless such engine is equipped with an efficient spark arrester shall upon conviction thereof in a summary proceeding be fined not exceeding two hundred dollars (\$200) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

Section 664 Playing for Drinks

Whoever being the proprietor lessee or manager of any place of resort or entertainment keeps or permits to be placed upon his premises any game upon which shall be staked intoxicating drinks shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 665 Fraud in Securing Professional Licenses

Whoever

(a) For the purpose of misrepresenting the qualifications of any person to any department of this Commonwealth or any professional examining board within said department buys sells or fraudulently or illegally makes or alters gives issues or obtains any literary scientific professional or other degree or license or certifies to the completion in whole or in part of any course of study in any university college high school academy or other educational institution

(b) Personates or offers to personate another person in taking or offering to take any examination held by the examining board of any public agency within this Commonwealth

(c) Without lawful authority has in his possession question papers copies or parts thereof which are to be used in any such examination at any time prior to the dates set for such examination

(d) Prior to such examination sells or offers to sell question papers copies or parts thereof prepared for use in said examination

(e) Uses in or preparation for such examination any question papers copies or parts thereof obtained without lawful authority prior to the dates set for such examination

(f) Transmits to the examining board of any public agency within this Commonwealth answers to questions used in any such examination which are prepared or written outside of the period of examination or alters any such answer after such period is closed

(g) Secures any credential regularly issued by any examining board of any public agency within this Commonwealth which is based upon examinations or credentials approved by such examining board which he has not actually passed or completed shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 666 Bucket Shops

Whoever

(a) Keeps or knowingly permits to be kept maintained or operated in any premises owned leased controlled or operated by him any bucket shop

(b) Transmits communicates receives exhibits or displays in any manner any statement or quotation or the price of any property mentioned in the definition of "Bucket Shop" with a view of entering into any contract agreement trade or transaction of the nature described in such definition or with a view of aiding others so to do

(c) Enters into any such contract agreement trade or transaction either for himself or as agent or broker for any other person shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

If a corporation is the defendant its charter shall be forfeited in a proceeding in quo warranto instituted either at the relation of the Attorney General or the District Attorney

A "Bucket Shop" for the purpose of this section is a place where contracts agreements trades or transactions respecting the sale or purchase of stocks bonds securities grains provisions or other commodities are made or offered to be made to be closed adjusted or settled upon the basis of public market quotations on a board of trade or exchange but without a bona fide transaction on such board of trade or exchange

Section 667 Worldly Employment or Business on Sunday

Whoever does or performs any worldly employment or business whatsoever works of necessity and charity only excepted on the Lord's Day commonly called Sunday or uses or practices any game hunting shooting sport or diversion whatsoever on the same day not authorized by law shall upon conviction thereof in a summary proceeding be fined four dollars (\$4.00) and in default of payment thereof shall be imprisoned six (6) days

Nothing herein contained shall be construed to prohibit the dressing of victuals in private families bake houses lodging houses inns and other houses of entertainment for the use of sojourners travelers or strangers or to hinder

watermen from landing their passengers or ferrymen from carrying over the water travelers or persons removing with their families on the Lord's Day commonly called Sunday nor to the delivery of milk or the necessities of life before nine (9) of the clock in the forenoon nor after five (5) of the clock in the afternoon of the same day

Section 668 Racing Animals

Whoever races or runs any animal for any property or prints or sets up any advertisement mentioning the time and place for the racing or running of such animals or knowingly permits any such advertisement to be attached to or remain upon his property shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

All wagers and bets laid on any such racing or running shall be null and void and any property lost on the same or the value thereof may be recovered from the winner by action at law

Nothing contained in this section shall be construed as applying to racing at exhibitions of agricultural societies and associations nor to trials of speed in any incorporated driving park nor to races given by regularly incorporated trotting associations

Section 669 Undersized Lobsters

Whoever takes or has in his possession any lobster measuring less than three and one-eighth (3 1/8) inches from the rear of the eye socket along a line parallel to the center line of the body shell (carapace) to the rear end of the body shell (carapace) shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Article VII

Offenses Against the Person

Section 701 Murder of the First and Second Degree

All murder which shall be perpetrated by means of poison or by lying in wait or by any other kind of wilful deliberate and premeditated killing and all unlawful homicides which shall be committed in the perpetration of or attempt to perpetrate any arson common-law rape robbery burglary or kidnapping shall be murder of the first degree All other kinds of murder shall be murder of the second degree The jury before whom any person indicted for murder shall be tried shall if they find such person guilty thereof ascertain in their verdict whether the person is guilty of murder of the first or second degree If such person pleads guilty the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

Whoever commits murder of the first degree shall suffer death in the manner provided by law or shall be imprisoned for life at the discretion of the jury trying the case which shall in the manner hereinafter provided fix the penalty. In the trial of an indictment for murder the court shall inform the jury that if they find the defendant guilty of murder in the first degree it will be their further duty to fix the penalty therefor after hearing such additional evidence as may be submitted upon that question Whenever the jury shall agree upon a verdict of murder of the first degree they shall immediately return and render the same which shall be recorded and shall not thereafter be subject to reconsideration by the jury or any member thereof After such verdict is recorded and before the jury is permitted to separate the court shall proceed to receive such additional evidence not previously received in the trial as may be relevant and admissible upon the question of the penalty to be imposed upon the defendant and shall permit such argument by counsel and deliver such charge thereon as may be just and proper in the circumstances The jury shall then retire and consider the penalty to be imposed and render such verdict respecting it as they shall agree upon A failure of the jury to agree upon the penalty to be imposed shall not be held to impeach or in any way affect the validity of the verdict already recorded and whenever the court shall be of opinion that further deliberation by the jury will not result in an agreement

upon the penalty to be imposed it may in its discretion discharge the jury from further consideration thereof in which event if no retrial of the indictment is directed the court shall sentence the defendant to life imprisonment upon the verdict theretofore rendered by the jury and recorded as aforesaid. The court shall impose the sentence so fixed as in other cases. In cases of pleas of guilty the court where it determined the crime to be murder of the first degree shall at its discretion impose sentence of death or imprisonment for life. The clerk of the court where such conviction takes place shall within ten (10) days after such sentence of death transmit a full and complete record of the trial and conviction to the Governor. Whenever the court sentences a person to death it may at any time after he has been committed to await execution of the sentence order his transfer from the prison to which he shall have been committed to a suitable penitentiary or in the case of women to the State Industrial Home for Women at Muncy for safekeeping pending any appeal or application to the Board of Pardons for clemency or his final transfer and delivery to the lawfully designated place for the execution of the sentence.

Whoever commits murder of the second degree shall for the first offense be imprisoned not exceeding thirty (30) years or fined not exceeding thirty thousand dollars (\$30,000) or both and for the second offense shall be imprisoned for life and fined not exceeding thirty thousand dollars (\$30,000).

Section 702 Voluntary and Involuntary Manslaughter

Whoever commits voluntary manslaughter shall be imprisoned not exceeding twelve (12) years or fined not exceeding twelve thousand dollars (\$12,000) or both.

Whoever commits involuntary manslaughter shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3,000) or both.

A count for involuntary manslaughter may be joined in any indictment with counts charging murder or voluntary manslaughter. After indictment the district attorney may with leave of court enter a nolle prosequi as to any count or counts therein and proceed to trial on the remaining counts.

Section 703 Robbery

Whoever robs any person or assaults any person with intent to rob or by force or threat of force demands any property of any person with intent to steal the same shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both.

Section 704 Aggravated Robbery

Whoever commits robbery or attempts to commit robbery

(a) And in furtherance thereof at the same time or immediately after such robbery or attempted robbery beats strikes or ill-uses anyone in connection therewith

(b) While being armed with an offensive weapon or instrument

(c) Together with one or more persons shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both.

Section 705 Larceny from Bank Vaults by Force Threats or Menace

Whoever by force threats or menace compels another to surrender the key or other appliance or to divulge the combination secret or other means used to open any bank vault safe or other depository of property or administers to another any stupefying drug matter or thing for the purpose of obtaining such key or other appliance with intent to steal any property therein shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both.

Section 706 Stopping a Common Carrier to Commit a Felony

Whoever by any means or in any manner whatever stops or attempts to stop any vehicle operated by a transportation company for the purpose of committing

any felony therein shall be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both.

Section 707 Assault and Battery

Whoever commits an assault or an assault and battery shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2,000) or both.

Section 708 Aggravated Assault and Battery

Whoever in committing an assault and battery inflicts upon another either with or without any weapon or instrument any grievous bodily harm is guilty of aggravated assault and battery and shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5,000) or both.

Section 709 Assault with Intent to Commit a Crime

Whoever commits assault and battery or aggravated assault and battery upon another with intent himself to commit any other crime or with intent to aid abet facilitate or promote the commission of a crime by another or with intent to interfere with hinder or obstruct any other person from deterring or preventing the commission of a crime by a third person shall be imprisoned or fined or both not to exceed the maximum penalty prescribed by law for such other crime or for assault and battery or aggravated assault and battery whichever be the greater provided that if the jury trying any person for an offense defined by this section shall find the accused guilty of an assault and battery or an aggravated assault and battery but not guilty of having committed the same with intent as aforesaid he shall be punished in the same manner as provided for said offenses in this act and provided further that no imprisonment in excess of fifteen (15) years or fine in excess of fifteen thousand dollars (\$15,000) shall be imposed.

The words "assault and battery" and "aggravated assault and battery" as used in this section shall include the use or attempted use in upon or against the person of another of any thing or substance of any kind or nature whatsoever capable of and intended to promote facilitate or in any way contribute to the successful commission of any crime.

A count charging assault and battery or aggravated assault and battery with intent to commit a crime may be joined in any indictment charging the commission or attempted commission of the same crime.

Section 710 Pointing Deadly Weapons

Whoever playfully or wantonly points or discharges a gun pistol or other firearm at any other person shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1,000) or both.

Section 711 Abortion

Whoever unlawfully administers to any woman pregnant or believed to be pregnant any drug poison or other substance or unlawfully uses any instrument or other means with intent to procure the miscarriage of such woman is guilty of abortion and shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5,000) or both and whenever such action results in the death of such woman or any child with which she may be quick shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both.

Section 712 Concealing Death of Child

Whoever endeavors to conceal the death of any child for the purpose of preventing the discovery of whether it was born alive or dead or whether it was murdered or not shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1,000) or both.

Section 713 Rape

Whoever has unlawful carnal knowledge of a female forcibly and against her will or whoever being of the age of sixteen (16) years and upwards unlawfully and carnally knows and abuses any female under the age of sixteen (16) years with or without her consent is guilty of rape and shall be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both.

Upon the trial of any defendant charged with the unlawful carnal knowledge and abuse of a female under the age of sixteen (16) years if the jury shall find that such female

was not of good repute and that the carnal knowledge was with her consent the defendant shall be acquitted of rape and be convicted of fornication

Section 714 Kidnapping

Whoever

(a) Takes or carries away or decoys or entices away or secretes any person with intent to demand or exact money or any other valuable thing for the release restoration or return of such person

(b) Either by force or fraud leads takes or carries away or decoys or entices away any minor under the age of fourteen (14) years from his parent or other person charged with his care or custody with intent to conceal or detain him or with intent to steal any property on or about his person

(c) Knowingly conceals harbors or detains any person who has been kidnapped by another in violation of subsection (a) and (b) hereof

is guilty of kidnapping and shall for a violation of subsection (a) be imprisoned for a period of years up to and including life or fines not exceeding twenty-five thousand dollars (\$25,000) or both and shall for a violation of subsections (b) and (c) be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both

Section 715 Abandoning Infants

Whoever being a parent or other person charged with the care or custody of any child under the age of ten (10) years leaves or places such child in any place with intent to wholly abandon it shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 716 Neglect to Maintain Child Abandonment

Whoever being a parent or other person charged with the care or custody of any child under the age of sixteen (16) years abandons the child in destitute circumstances or wilfully omits to furnish necessary and proper food clothing or shelter for such child shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

In case a fine is imposed the same may be applied in the discretion of the court to the support of such child

The jury may infer from proof of the abandonment of such child in destitute circumstances and the omission to furnish necessary and proper food clothing or shelter that such abandonment and omission was wilful

Any provision of law prohibiting disclosure of confidential communications between husband and wife shall not apply to prosecutions under this section

Section 717 Cruelty to Minors

Whoever ill-treats abuses or inflicts cruel punishment upon any minor shall upon conviction thereof in a summary proceeding be fined not exceeding two hundred dollars (\$200) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

Section 718 Tattooing Minors

Whoever tattoos any minor shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 719 Wilful Separation or Nonsupport

Whoever being a husband or father separates himself from his wife or from his children or from wife and children without reasonable cause or wilfully neglects to maintain his wife or children who is or are destitute or dependent wholly or in part on their earnings for adequate support shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both. Such fine if any may be paid or applied in whole or in part to the wife or children as the court may direct

No such conviction payment of fine or undergoing imprisonment shall in any manner affect the obligation of any order for support theretofore made against the defendant in any competent court

In any case the court may suspend sentence upon and during compliance by the defendant with any order for support as already made or as thereafter modified

If no such order shall have been made then the court trying the defendant may make such order for the support by the defendant of his wife and children or either

of them which order shall be subject to modification by the court on cause shown and may suspend sentence upon and during the compliance by defendant with such order upon entry of bond by defendant with or without surety approved by the court conditioned on compliance with such order

In any proceedings under this section the wife or any person having the care custody or control of minor children shall be a competent witness

As used in this section the word "children" shall be limited to mean children under eighteen (18) years of age and also such children over eighteen (18) and under twenty-one (21) years of age as by reason of infirmity are incapable of supporting themselves "separation" or "nonsupport" shall include every case where a husband has caused his wife to leave him by conduct on his part which would be ground for divorce or where a father has neglected to provide for maintenance support and care of his wife or children or wife and children

Section 720 Neglect of Children Born out of Wedlock

Whoever becomes the father of a child born out of lawful wedlock whether within or without this Commonwealth shall be ordered to pay the expenses incurred at the birth of such child and if such child is born dead or shall die during the continuance of an order for maintenance of said child shall also pay the reasonable funeral expenses and shall give such security in such sum and on such basis as the court shall direct and in default of such payment shall be imprisoned not exceeding one (1) year

Whoever being a parent wilfully neglects or refuses to contribute reasonably to the support and maintenance of a child born out of lawful wedlock whether within or without this Commonwealth shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

All prosecutions under these sections must be brought within two (2) years of the birth of the child except where the reputed father shall have voluntarily or by court order contributed to the support of the child or shall have acknowledged in writing his paternity in which case a prosecution may be brought at any time within two (2) years of any such contribution or acknowledgment by the reputed father

Before the trial with the consent of the defendant indorsed on the bill of indictment as now provided by law or at the trial on entry of a plea of guilty or after conviction instead of imposing the fine herein provided or in addition thereto the court having regard to the circumstances and to the financial capacity of the defendant may make an order subject to change from time to time as circumstances may require directing the defendant to pay a certain sum periodically for such time and to such person as the court may direct. The court shall have the power to suspend the sentence herein provided and release the defendant from custody on probation in the manner provided in cases of desertion and nonsupport provided that the defendant has entered into a recognizance in such sum with or without surety as the court shall direct for compliance with such order

Whenever a parent is paying for the support of a child under an order of court made in any other proceeding civil criminal or quasi-criminal said parent shall not be subject to proceedings for support for the same child under this section unless he has failed to obey such order of court

For the purpose of this section referring to the child the use of the term "bastard" or "illegitimate" is prohibited in any public record or public document. Instead the term "born out of wedlock" shall be used

Section 721 Desertion and Nonsupport

If any husband or father being within the limits of this Commonwealth separates himself from his wife or from his children or from wife and children without reasonable cause or neglects to maintain his wife or children any magistrate upon information made before him under oath or affirmation by his wife or children or

either of them or by any person may issue his warrant for the arrest of the person against whom the information shall have been made and bind him over with one sufficient surety to appear at the court of quarter sessions or other court of record having jurisdiction there to answer the said charge of desertion.

The said court after hearing in a summary proceeding may order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to prison there to remain until he shall comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith. The court may also issue the appropriate writ of execution against any property belonging to the defendant and its writ of attachment execution against any property to which he may be in any way entitled whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs. The person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed.

The provisions of this section shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act. Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments.

Any wife so deserted shall be a competent witness on the part of the Commonwealth and the husband shall also be a competent witness.

Should any such person abscond remove or be found in any other county of the Commonwealth than the one in which said warrant issued he may be arrested by the said warrant being backed by any magistrate of the county in which such person may be found.

Whenever the court of quarter sessions of any county or other courts of record having jurisdiction in the Commonwealth commits the person complained of to the county prison there to remain until he complies with their order or give security et cetera the court may at any time after three (3) months if it shall be satisfied of the inability of such person to comply with the said order and give such security discharge him from imprisonment.

Nothing in this section shall be construed to repeal the powers and jurisdiction granted the Municipal Court of Philadelphia County or the County Court of Allegheny County.

Article VIII

Offense Against Personal Property and Fraudulent Dealing Therewith

Section 801 Blackmail

Whoever by means of any communication which threatens

- (a) To accuse another person of a crime or other unlawful act
- (b) To injure kidnap or cause the death of any person
- (c) To injure or destroy any property or business or reputation thereof
- (d) To expose or impute to any person any deformity or disgrace
- (e) To publish any libel

extorts or gains any property from another or induces any person to commit or assist another person in the commission of any unlawful act shall be imprisoned not exceeding fifteen (15) years or fined not exceeding fifteen thousand dollars (\$15,000) or both.

Section 802 Larceny

Whoever commits larceny shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both.

The subjects of larceny shall include

- (a) All money and personal property

(b) All written or printed instruments which are evidences of debts or contracts or concern real or personal property or commercial or business transactions or which create or will create rights and privileges.

(c) All property of any kind whatsoever growing or being upon the land of another.

(d) All fixtures or other property attached to or a part of any real property.

(e) All coal iron or other minerals in or on the ground.

(f) Any other valuable thing.

Section 803 Additional Penalties for Larceny of Minerals

Whoever commits larceny of coal iron or other minerals shall in addition to the penalties otherwise provided by law be liable to pay to the owner double the value of the minerals so removed or in the case of the conversion of the same to the use of such offender treble value thereof to be recovered with the cost of suit by an action at law.

Section 804 Receiving Stolen or Fraudulently Disposed of Property

Whoever buys or receives any property made a subject of larceny which shall have been stolen or feloniously taken or which shall have been so fraudulently obtained converted or disposed of as to render the party obtaining converting or disposing thereof guilty of a crime knowing or having reasonable cause to know the same to have been stolen or feloniously taken or to have been so fraudulently obtained converted or disposed of shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both.

It is lawful to prosecute and punish all buyers and receivers of stolen property as well before as after the principal felon shall be taken and convicted and whether he is amenable to justice or otherwise. The prosecution conviction and sentence of receivers shall exempt them from being prosecuted as accessories after the fact in case the principal felon shall be afterwards convicted.

Section 805 Bringing Stolen Property into the State

Whoever brings into this Commonwealth any property knowing or having reasonable cause to know the same to have been stolen in any other state or country shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both.

Section 806 Professional Thieves

Whoever being a professional thief burglar or pick-pocket frequents or attends any public place for an unlawful purpose shall upon conviction thereof in a summary proceeding be imprisoned not exceeding ninety (90) days or in the discretion of the magistrate be required to enter security for his good behavior for a period not exceeding one (1) year.

Section 807 Fraudulent Conversion of Property

Whoever having received or having possession of in any capacity or by any means or manner any property of or belonging to any other person or which any other person is entitled to receive and have fraudulently withholds converts or applies the same or any part thereof or the proceeds or any part of the proceeds derived from the sale or other disposition thereof to and for his own use and benefit or to and for the use and benefit of any other person shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both.

The crime specified in this section may be joined in the same indictment with any other crimes arising out of the same transaction and there may be included in the same indictment as many counts as there are separate and distinct crimes hereunder committed against the same person.

Section 808 Fraudulent Conversion by Partners etc

Whoever being a member of an association without the consent of his associates fraudulently converts takes or secretes with intent to convert to his own use or to the use of another or withholds or appropriates or otherwise fraudulently applies or makes use of any property belonging to such association and which may have come into his possession or under his care or fraudulently uses or pledges the name of the association for any purpose other than the bona fide use of said association shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both.

Section 809 Repothecation of Stocks and Bonds

Whoever repledges or rehypothecates any stocks bonds or other securities received for money lent and borrowed during the continuance of the contract of hypothecation or pledging of such securities without the written consent of the party pledging or hypothecating the same shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

This section shall not be construed to prevent brokers from repledging or rehypothecating stocks or other securities which they have purchased in whole or in part with their own money or credit for others and for which they have not been wholly reimbursed by the parties for whom such stocks or other securities have been purchased

Section 810 Misapplication of Public Moneys Collected for Special Purposes

Whoever being the treasurer of any political subdivision of this Commonwealth applies any moneys collected according to law for any special purpose to any purpose other than that for which such moneys shall have been collected shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 811 Refusal to Pay over Money Collected on Execution

Whoever being a constable or deputy constable receives money by virtue of an execution or other process and neglects or refuses upon request to pay the amount thereof to the party entitled to receive the same or to his agent or legal representative shall be fined not exceeding one hundred dollars (\$100) and shall stand committed until the fine and costs and the money so withheld shall be paid together with interest and shall for seven (7) years thereafter be incapable of holding the office of constable or the appointment of deputy constable

Section 812 Cheating by Fraudulent Pretenses

Whoever by any false pretense obtains the signature of any person to any written instrument or obtains any property from any other person with intent to cheat and defraud any person shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 813 False Statements

Whoever for the purpose of securing any property for the benefit of himself or another

(a) Knowingly makes or causes to be made any false statement in writing intending that it be relied upon respecting the financial condition or means or present ability to pay of himself or any other person

(b) Knowing that a statement in writing has been made respecting the financial condition or means or present ability to pay of himself or any other person reports subsequently in writing that such statement theretofore made if again made would still be true when in fact such statement if then made would be false shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 814 False Statements Concerning Financial Institutions

Whoever makes utters or publishes any statement or rumor untrue in fact in reference to the solvency or derogatory to the financial condition of any banking institution surety company guarantee company insurance company or other financial institution in this Commonwealth shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 815 False Statements and Entries by Officials of Banking or other Financial Institutions

Whoever being a director officer agent employee or member of any banking or other financial institution with intent to injure or defraud such banking or other financial institution or any director officer agent employee or member thereof

(a) Draws any order or bill of exchange makes any acceptance signs any note bond draft bill of exchange mortgage judgment or other instrument in writing

(b) Makes any false statement in any book report or statement concerning such banking or other financial institution or deceives any officer of such banking or other

financial institution or any bank examiner or other person legally authorized to examine the affairs of any such banking or other financial institution

shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 816 Fraudulent Accounts

Whoever being an officer director receiver employee agent attorney broker or member of any body corporate or public company or municipal or quasi-municipal corporation receives or possesses himself of any property of such corporate or public company municipal or quasi-municipal corporation otherwise than in payment to him of a just debt or demand and with intent to defraud omits or fails to cause or direct to be made a full and true entry thereof in the books and accounts of such body corporate public company municipal or quasi-municipal corporation shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 817 False Statements by Corporate Agents

Whoever being an officer director receiver employee agent attorney broker or member of any Banking Institution or other body corporate or public company municipal or quasi-municipal corporation makes utters or publishes any written or printed statement or account which he knows to be false with intent to deceive or defraud any member shareholder or creditor of such body corporate or public company municipal or quasi-municipal corporation or with intent to induce any person to become a shareholder or partner therein or to interest or advance any property to such body corporate or public company or to enter into any security for the benefit thereof shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 818 False Financial Statements

Whoever issues or permits the issuance of any statement of the financial transactions standing or condition of any corporation partnership or individual business known by him to be false shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 819 False Entries by Partners

Whoever as a member of any association receives or possesses himself of any property of such association otherwise than in payment to him of a just debt or demand and with intent to defraud omits to make or cause or direct to be made a full and true entry thereof in the books and accounts of such association or with intent to defraud destroys alters mutilates or falsifies any of the books papers or writings or securities belonging to any such association or concurs in making any false entry or material omission in any book of accounts or other documents shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 820 Destroying or Multilating Books of Corporation

Whoever with intent to defraud

(a) Destroys alters mutilates or falsifies any of the books papers writing or securities of or belonging to any banking institution body corporate or public company municipal or quasi-municipal corporation

(b) Makes any false entry in any book of accounts or other documents of or belonging to any such banking institution body corporate or public company municipal or quasi-municipal corporation or omits any material matter therefrom

shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 821 Fraudulent Removal of Vehicle

Whoever removes or obtains by any false pretense or device any vehicle which has been placed in a garage hangar or other place for storage repair or service with intent to defraud shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 822 Receipt of Deposits by Insolvent Institutions

Whoever being an officer or employee of a banking in-

stitution or broker receives for deposit or otherwise any property knowing that such institution or broker has not assets sufficient at their cash value to pay all its or his debts and liabilities shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 823 Frauds by Agents of Transportation Companies

Whoever being an employe of any transportation company fraudulently fails to cancel or return to the proper office company or agent any coupon or other ticket with the intent to permit the same to be used to the damage of such company or steals or embezzles any such coupon or other ticket or fraudulently stamps or prints or signs any such ticket shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 824 Worthless Checks and Drafts

Whoever with intent to defraud makes draws utters or delivers any check draft or order for the payment of money upon any banking institution or other depository knowing at the time of such making drawing uttering or delivering that the maker or drawer has not sufficient funds in or credit with such banking institution or other depository for the payment of such check although no express representation is made in reference thereto shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

In any prosecution under this section the making drawing uttering or delivering of a check draft or order payment of which is refused by the drawee because of lack of funds or credit shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in or credit with such banking institution or other depository unless such maker or drawer shall have paid the drawee thereof the amount due thereon together with interest and protest fees within five (5) days after receiving notice that such check draft or order has not been paid to the drawee

The word "credit" as used in this section shall be construed to mean any arrangement or understanding with the banking institution or other depository for the payment of such check draft or order

Section 825 False Certification of Check

Whoever certifies any check drawn upon any banking institution or other depository unless the person drawing the check has on deposit in such banking institution or other depository at the time such check is certified an amount of money not less than the amount of money specified on such check shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 826 False or Forged Recommendations

Whoever obtains employment or appointment to any office or place of trust by the use of any false or forged writing as to his name residence previous employment or qualifications knowing the same to be false or forged shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 827 False Representation of Blindness Deafness etc

Whoever knowingly misrepresents himself or another as a deaf dumb blind deformed or injured person in order to collect receive or otherwise obtain any property shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 828 Untrue False and Misleading Advertising

Whoever with intent to sell or in any way dispose of any service or property or with intent to increase the consumption thereof or with intent to induce the public to enter into any obligation relating thereto or acquire any interest therein makes publishes or disseminates any advertisement which he knows to be untrue deceptive or misleading shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred

dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 829 Accepting Unidentified Advertising

Whoever being the owner or employe of any newspaper or other publication accepts any advertisement for publication without obtaining the name and address of the advertiser and without making a record of the same which record shall be retained for a period of two (2) weeks and shall be subject to the examination of any duly constituted law officer of this Commonwealth shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 830 Nondisclosure of Identity of Merchant

Whoever being engaged in any kind of business whether conducting such business in a store business block residence or other building fails at any time to keep a conspicuous sign posted on the outside of his establishment and another conspicuous sign in the salesroom indicating the name of the person who actually owns the merchandise property or service which is being offered to the public and not the name of any other person shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Where the seller has no control over the exterior of the premises wherein his business is being conducted he shall not be required to keep posted the exterior sign

Section 831 Attaching Advertisement Without Consent of Publisher

Whoever places or affixes or inserts any notice of any kind on or in or to any newspaper magazine periodical or book when such newspaper magazine periodical or book is in the possession of the owner or publisher thereof or in the possession of any newsdealer distributor or carrier or of any agent or servant of such owner or publisher without the consent of the owner or publisher shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and costs for each offense

Section 832 Fraudulent Use of "Consul" "Consulate" or Coat of Arms

Whoever in connection with any business uses the word "consul" or "consulate" or any derivative or equivalent thereof in any language or the coat of arms of any foreign nation or any simulation thereof tending to convey the impression that such business has official relation to any foreign government shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

The provisions of this section shall not apply to a consular official of a foreign nation or country duly accredited to any city

Section 833 Fraud on Automatic Machines

Whoever by any fraudulent means operates any automatic vending machine automatic telephone or any instrument machine apparatus motor or device which is operated or intended to be operated by the use or insertion thereto of any coin shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 834 Manufacture of False Tokens to Operate Automatic Machines

Whoever with intent to defraud manufactures sells or gives away any false or counterfeit coin or other device intended to be used in any automatic machine or apparatus shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1,000) or both

Section 835 Spurious Archaeological Specimens

Whoever manufactures sells offers for sale or has in possession with intent to sell or offer for sale any object with intent to misrepresent such object to be an original

or genuine archaeological specimen shall upon conviction thereof in a summary proceeding be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

Section 836 False Representation of Kosher

Whoever sells or offers for sale any article intended for human consumption falsely represented as kosher or as being sanctioned by the orthodox Hebrew religious requirements as kosher or sells or offers for sale any meats meat products or preparations thereof that are not kosher in the same place of business where meats meat products or preparations thereof represented as kosher are sold shall be imprisoned not exceeding six (6) months or fined not exceeding five hundred dollars (\$500) or both

For the purposes of this section the word "represented" shall mean any statement orally or in writing in any language either referring to on or in connection with the article or on or in the place of business using the word "kosher" or any sign or mark in simulation of such word or any insignia or six-pointed star or any mark or utterance which might reasonably be calculated to deceive or lead a reasonable person to believe the article to be kosher

Section 837 Unlawful Use of Containers etc

Whoever without the permission of the owner

(a) Refills for the purpose of sale

(b) Uses in the sale exchange or delivery of any merchandise

(c) Sells deals or traffics in

(d) Wilfully detains

(e) Fraudulently obliterates mutilates or conceals the name title or mark of owner on

any container having therein or thereon the name title address or mark of the owner shall be imprisoned not exceeding six (6) months or fined not exceeding two hundred dollars (\$200) or both

Section 828 Fortune Telling

Whoever pretends for gain to tell fortunes or predict future events by cards tokens the inspection of the head or hands of any person or by anyone's age or by consulting the movements of the heavenly bodies or in any other manner or for gain pretends to effect any purpose by spells charms necromancy or incantation or advises the taking or administering of what are commonly called love powders or potions or prepares the same to be taken or administered or publishes by card circular sign newspaper or other means that he can predict future events or for gain pretends to enable anyone to get or recover stolen property or to tell where lost property is or to stop bad luck or to give good luck or to put bad luck on a person or animal or to stop or injure the business or health of a person or shorten his life or to give success in business enterprise speculation and games of chance or to win the affection of a person or to make one person marry another or to induce a person to make or alter a will or to tell where money or other property is hidden or to tell where to dig for treasure or to make a person to dispose of property in favor of another shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 839 Fraud on Hotel Boardinghouse and Inn Keepers

Whoever with intent to cheat or defraud obtains food lodging credit or other accommodation in any hotel inn or boardinghouse shall be imprisoned not exceeding six (6) months or fined not exceeding two hundred dollars (\$200) or both

Proof that lodging food or other accommodations were obtained by false pretense or by false pretense of any baggage or other property or that he gave in payment for such food lodging or other accommodation negotiable paper on which payment was refused or that he absconded without paying or offering to pay for such food lodging or other accommodation or that he surreptitiously removed or attempted to remove his baggage shall be prima

facie proof of the fraudulent intent mentioned in this section

Section 840 Marking of Gold

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or to dispose of any article of merchandise marked stamped branded or labeled "gold" or "solid gold" which contains less than ten (10) karats of pure gold shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 841 Marking of Gold Fineness

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or to dispose of any article of merchandise marked stamped or branded with any karat of gold not less than ten (10) in fineness or wrapped encased or enclosed in any box package cover or wrapper or other thing in or by which the said article is packed wrapped encased or enclosed or otherwise prepared for sale or distribution having thereupon any engraving label stamp imprint mark or trademark indicating or denoting by such marking stamping branding engraving or printing that such article is of any other number of karat of gold of not less than ten (10) in fineness unless the component parts of which the said article is made are in the following ratio If eighteen (18) karat then eighteen (18) parts of pure gold and six (6) parts alloy if fourteen (14) karat then fourteen (14) parts of pure gold and ten (10) parts alloy if ten (10) karat then ten (10) parts of pure gold and fourteen (14) parts alloy and other quantities in the same proportion with twenty-four (24) karats as the standard of pure gold shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 842 Marking of Silver

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or to dispose of any article or merchandise marked stamped or branded with the words "sterling" or "sterling silver" or wrapped encased or enclosed in any box package cover or wrapper or other thing in or by which the said article is packed wrapped encased or enclosed or otherwise prepared for sale or disposition having thereupon any engraving label stamp imprint mark or trademark indicating or denoting by such marking stamping branding engraving or printing that such article is sterling or sterling silver unless nine hundred and twenty-five one-thousandths (925/1000) of the component parts of the metal of which the said article is made is pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 843 Marking of Coin Silver

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or to dispose of any article of merchandise marked stamped or branded with the words "coin" or "coin silver" or wrapped encased or enclosed in any box package cover wrapper or other thing in or by which the said article is packed wrapped encased or enclosed or otherwise prepared for sale or disposition having thereupon any engraving label stamp imprint mark or trademark indicating or denoting by such marking stamping branding engraving or printing that such article is coin or coin silver unless nine hundred one-thousandths (900/1000) of the component parts of the metal of which the said article is made is pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 844 Marking of Mounting as Sterling

Whoever makes or sells or offers to sell or to dispose of or has in his possession with intent to sell or to dispose of any article of merchandise comprised of any material to which is attached a metal mounting or trademark indicating or denoting by such marking stamping or branding with the words "sterling" or "sterling silver" unless such attached metal mounting shall contain not less than nine hundred and twenty-five one-thousandths (925/1000) parts of pure silver shall be imprisoned not exceeding three (3)

months or fined not exceeding three hundred dollars (\$300) or both

Section 845 Marking of Mounting as Coin

Whoever makes or sells or offers to sell or dispose of or has in his possession with intent to sell or dispose of any article of merchandise comprised of any material to which is attached a metal mounting marked stamped or branded with the words "coin" or "coin silver" unless such attached metal mounting shall contain not less than nine hundred one-thousandths (900/1000) parts of pure silver shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 846 Unpublished Drams and Musical Composition

Whoever publicly presents for profit without consent of the author or authors thereof any unpublished dramatic play or musical composition shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 847 Purchase of Junk

Whoever buys or receives from minors knowing them to be such or from any person unknown to the person so buying or receiving or from any person pursuing no trade labor or employment for a livelihood any junk rope scrap iron brass lead copper or other metal shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 848 False Registration or Domestic Animals

Whoever by any false pretense obtains from any association for improving the breed of domestic animals the registration or transfer of registration of any animal in the herd register or other register or knowingly gives a false pedigree of any animal shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 849 Fraudulent Entry of Horses in Races

Whoever enters for competition or causes to compete for any purse prize premium stake or sweepstake offered or given by any association or person any horse under an assumed name or out of its proper class when such prize purse premium stake or sweepstake is to be decided by a contest in running trotting or pacing races shall be imprisoned not exceeding six (6) months or fined not exceeding six hundred dollars (\$600) or both

Section 850 Destruction of Deeds Securities and Records

Whoever mutilates conceals or destroys any deed lease will bond bill note check draft or other security for the payment of money or the delivery of goods or any certificate of loan or public security of this Commonwealth or of the United States or any of them or any certificates of the stock or debt of any bank corporation or society or of any foreign country or any receipt acquittance release or discharge of any debt suit or other demand or any transfer or assurance of money stock goods chattels or other property or any letter of attorney or other power or any day book or other book of accounts or any agreement or contract whatever with intent to defraud prejudice or injure any person bank body corporate society or association shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 851 Identifying Marks on Machines and Apparatus

Whoever removes alters defaces covers or destroys the manufacturer's serial number or any other manufacturer's number or distinguishing number or identification mark upon any machine or other apparatus except motor vehicles for the purpose of concealing or destroying the identity of any such machine or other apparatus or takes in his possession any such machine or apparatus from which the manufacturer's serial number or any other manufacturer's number or distinguishing number or identification mark has been removed altered defaced covered or destroyed for the purpose of concealing or destroying the identity of such machine or other apparatus knowing at the time of taking possession of such removal alteration defacement covering or destruction shall be imprisoned not exceeding three (3) months or fined not exceeding three hundred dollars (\$300) or both

Section 852 Electric Storage Batteries

Whoever removes defaces, alters or destroys the word

"rental" or any other word mark or character printed or painted or stamped upon or attached to any electric storage battery which has been so placed upon or attached to identify the same as belonging to or being the property of any other person or sells disposes of delivers or gives to any person other than the owner thereof any electric storage battery marked as aforesaid for the purpose of identifying the said electric storage battery as belonging to or being the property of any other person or being engaged in buying selling or recharging electric storage batteries receives or retains in his possession or recharges except in cases of emergency any electric storage battery not owned by such person and marked as aforesaid for the purpose of identifying the said electric storage battery as belonging to or being the property of any other person or retains in his possession for a longer period than ten (10) days without the written consent of the owner any electric storage battery marked as aforesaid for the purpose of identifying the said electric storage battery as belonging to or being the property of any other person shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 853 Confession of Judgment to Defraud Creditors

Whoever confesses or authorizes the confession of a judgment against himself or any person represented by him in favor of one not a bona fide creditor with intent to defraud shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 854 Removing or Concealing Property to Defraud Creditors

Whoever with intent to defraud his creditors or the creditors of another

- (a) Removes any property out of any county
- (b) Conceals any property from any officer or person duly entrusted with the execution of any writ
- (c) Conveys or otherwise disposes of any property
- (d) Receives purchases or otherwise acquires the property of another
- (e) Is a party to any written agreement regarding any property
- (f) Conceals any written instrument concerning any property shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 855 Illegal Wearing of Uniforms and Insignia

Whoever without authority

- (a) Wears or displays the uniform decoration insignie or other distinctive emblems of any branch of the armed forces of the United States or of any of the several states or of any association for the purpose of obtaining aid or profit or while soliciting contributions or subscriptions
 - (b) Wears an honorable discharge button issued or authorized by the United States
- shall be imprisoned not exceeding six (6) months or fined not exceeding six hundred dollars (\$600) or both

Section 856 Illegal Sale of Veterans' Flowers

Whoever without authority sells or offers to sell the labeled artificial flowers or any imitation thereof of any bona fide war veterans' organization or affiliates thereof shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

Section 857 Illegal Dealing in Military Decorations

Whoever without authority purchases sells or offers for sale or accepts as a pledge or pawn any medal insignia or decoration granted by the United States for service in the armed forces shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1,000) or both

Section 858 Fraud on Association Having Grand Lodge

Whoever without the authority of the grand lodge hereafter described

(a) Fraudulently uses in any manner the name or title of any secret fraternal association society order or organization which has had a grand lodge having jurisdiction in this Commonwealth for at least ten years

(b) Imitates such name or title with intent to deceive

(c) Wears or uses any insignia of such association with intent to deceive when not entitled to wear or use the same

(d) Publishes or distributes in any manner any written or printed matter soliciting applications for membership in such secret fraternal association or any alleged association claiming to be known by such title or in an association in imitation or resemblance of such title

(e) Sells or gives or offers to sell or give any information as to how any alleged degrees secret work or secrets of such fraternal association or of any alleged fraternal association claiming to be known by such title or an association in imitation or resemblance of such title

shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding ninety (90) days

Section 859 Unlawful Collection Practices

Whoever without being an attorney at law duly admitted to practice in any court of record in this Commonwealth

(a) Appears for or represents a creditor or other person in any proceeding or in any action or proceeding growing out of the appointment of a receiver or trustee or in connection with an assignment for the benefit of creditors presents any claim or votes on behalf of a creditor whether an assignee or transferee of such claim or by virtue of a proxy or otherwise or represents any creditor in any action or proceeding in any court or before any magistrate in this Commonwealth or solicits from any creditor any claim for any of the purposes above enumerated

(b) Directly or indirectly buys takes an assignment of or becomes in any manner interested in the buying or taking of an assignment of any claim for the purpose of collecting or enforcing payments thereof

(c) Offers to furnish legal services directly or indirectly or offers to render such services within or without this Commonwealth. Provided however That the forwarding of such a claim to an attorney or attorneys at law for the purpose of collection shall not be construed as furnishing legal service

(d) Represents or undertakes to render services for any debtor concerning the proposed settlement or adjustment of the affairs of such debtor whether such compromise settlement or adjustment be made through legal proceedings or otherwise or demands asks for or receives any compensation for services in connection with the settlement or collection of any claim except from the creditor for whom it has rendered lawful services

(e) Receives from or divides with an attorney any portion of any fee received by such attorney excepting such established and recognized custom of division of commissions between a collection agency and an attorney at the commonly accepted rate

(f) Coerces or intimidates any debtor by delivering or mailing any paper or document simulating or intending to simulate a summons warrant writ or court process as a means for the collection of a claim which threatens legal proceedings or resorts to vexatious practices against any debtor except that no person is prohibited from advising a debtor that the claim if not paid will be referred to an attorney or attorneys shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 860 Fraudulent Traffic in Food Orders

Whoever furnishes or delivers

(a) Anything other than food in exchange for a food order

(b) Food to any person other than the original recipient of the food order

(c) Food in quantities or for prices other than those itemized in the food order at the time the food is furnished or delivered

shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Article IX

Offenses Against Real Property and Malicious Mischief

Section 901 Burglary

Whoever at any time unlawfully and wilfully breaks into or enters any dwelling house with intent to commit a felony therein is guilty of burglary and shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

Section 902 Felonious Entry

Whoever at any time unlawfully and wilfully breaks into or enters any vehicle or any building other than a dwelling house with intent to commit a felony therein shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 903 Possession of Burglary Tools

Whoever has in his possession any tool instrument or any material with intent to use the same to commit a burglary or a felonious entry shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 904 Arson

Whoever wilfully and maliciously sets fire to or burns any dwelling house or other building or structure in which human beings are or usually are present whether the property of himself or of another is guilty of arson and shall be imprisoned not exceeding twenty (20) years or fined not exceeding twenty thousand dollars (\$20,000) or both

Section 905 Criminal Burnings

Whoever wilfully and maliciously sets fire to or burns any building or structure other than those set forth in the section in this act defining arson whether the property of himself or of another shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 906 Burning of Personal Property

Whoever maliciously and without the consent of the owner or wilfully and with intent to defraud sets fire to or burns any personal property whether the property of himself or of another shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 907 Malicious Mischief

Whoever wilfully and maliciously tampers meddles or interferes with or obstructs diverts removes injures destroys or damages

(a) Any property used by any transportation company in the performance of its transportation functions

(b) Any mine subterranean surface property or equipment used in connection with any mine or mining operation

(c) Any river stream or stream bed canal or other water course or the banks towpaths or towtracks adjacent thereto or dam or other device used to control the flow of water therein

(d) Any property used in the furnishing of any public utility service

(e) Any fire-fighting apparatus or equipment or part of any fire alarm system

(f) Any other property belonging to another shall where the crime involves property listed in subsection (a) be imprisoned not exceeding ten (10) years

or fined not exceeding ten thousand dollars (\$10,000) or both and where the crime involves property listed in subsections (b) (c) (d) and (e) be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both and where the crime involves property listed in subsection (f) be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 908 Malicious Mischief by Explosives

Whoever wilfully and maliciously by the explosion of any substance does bodily harm to any person or destroys or damages any property shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 909 Malicious Mischief Involving Signs Public Notices et cetera Whoever

(a) Wilfully and maliciously damages mutilates defaces destroys removes covers up or obliterates

(b) Wilfully posts paints or attaches any advertising bill notices placard sign or poster shall upon conviction thereof in a summary proceeding be fined not exceeding three hundred dollars (\$300) and in default of payment thereof shall be imprisoned not exceeding three (3) months

Section 910 Retention of Library Property after Notice to Return

Whoever retains any book pamphlet magazine newspaper manuscript map or other property belonging in or to or on deposit with the State Library or any free public library which is established or maintained under any law of this Commonwealth or any public school library or the library of any university college or educational institution chartered by this Commonwealth or any branch reading room deposit station or agency operated in connection therewith for a period exceeding thirty (30) days after such library has given written notice to return the same shall upon conviction thereof in a summary proceeding be fined not exceeding ten dollars (\$10.00) to be paid over by the magistrate imposing such fine to the library instituting the prosecution and costs of prosecution. Any person in default of payment of such fine and costs shall be imprisoned not exceeding ten (10) days

Such notice may be given by personal service upon the borrower or by the mailing of a registered letter to the borrower's address on file with said library. The notice shall recite this section and shall contain a demand that the property be returned

Section 911 Violation of Rules Governing State Property

Whoever wilfully negligently or maliciously violates any of the lawfully promulgated rules made for the administration of State property by any department or commission of this Commonwealth shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days. No conviction shall be had for any act committed in violation of this section unless it shall affirmatively appear that copies of such rules or notices were at the time of the commission of the offense posted in upon or about said property

Section 912 Purchasing Converted Trees or Lumber Thereof

Whoever purchases or receives a tree or shrub knowing the same to have been cut or removed without the consent of the owner thereof under circumstances not amounting to larceny or purchases or receives any logs planks boards staves shingles or other lumber knowing that it has been made from a tree so cut or removed shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding thirty (30) days

Section 913 Trespass Upon Posted Land

Whoever wilfully enters upon any land which the owner lessee or occupant has caused to be prominently posted with printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this section shall

upon conviction thereof in a summary proceeding be fined not exceeding ten dollars (\$10.00) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

Section 914 Trespassing on Grounds of State Institutions

Whoever wilfully trespasses upon the land or premises belonging or appurtenant to any State institution or whoever after notice from an officer or employe of any State institution to leave said land refuses to do so shall upon conviction thereof in a summary proceeding be fined not exceeding ten dollars (\$10.00) and in default of payment thereof shall be imprisoned not exceeding ten (10) days

Section 915 Killing Maiming or Poisoning Domestic Animals et cetera

Whoever unlawfully wilfully and maliciously

(a) Kills maims or disfigures any domestic animal fowl or bird of another person

(b) Administers poison to any such animal fowl or bird

(c) Exposes any poisonous substance with intent that the same shall be taken or swallowed by any animal fowl or bird

shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both

Section 916 Cruelty to Domestic Animals

Whoever wantonly or cruelly ill-treats overloads beats or otherwise abuses any animal whether belonging to himself or another or abandons any maimed sick infirm or disabled animal or keeps or uses or in any way is connected with or interested in the management of or receives money for the admission of any person to any place kept or used for the purpose of fighting or baiting any bull bear dog cock or other creature or encourages aids or assists therein or permits or suffers any place to be so kept or used shall upon conviction thereof in a summary proceeding for the first offense be fined not exceeding twenty dollars (\$20.00) and for the second offense and every subsequent offense shall be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding fifty (50) days

All fines shall be paid to any regularly incorporated society for the prevention of cruelty to animals bringing the prosecution

Whenever any person is arrested and charged with a violation of this section the person taking him into custody may take charge of the animal and of any vehicle used in connection therewith and deposit the same in some safe place of custody and upon conviction of any such person the necessary expenses which may be incurred for taking charge of keeping such animal or vehicle shall be a lien thereon and shall be paid before either said animal or vehicle can lawfully be recovered or the said expenses or any part thereof remaining unpaid may be recovered by the person incurring the same from the owner of said creature in any action therefor

Section 917 Selling or Using Disabled Horse

Whoever offers for sale or sells any horse which by reason of debility disease or lameness or for other cause could not be worked without violating the laws against cruelty to animals or leads rides or drives any such horse for any purpose except that of conveying the animal to a proper place for its humane keeping or killing or for medical or surgical treatment shall upon conviction thereof in a summary proceeding be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding one hundred (100) days

All fines shall be paid to any regularly incorporated society for the prevention of cruelty to animals bringing the prosecution

Section 918 Hours of Labor of Animals

Whoever leads drives rides or works or causes or permits any other person or persons to lead drive ride or work any domestic animal for more than fifteen (15) hours in any twenty-four (24) hour period or for more

than ninety (90) hours in any one week shall upon conviction thereof in a summary proceeding be fined not exceeding fifty dollars (\$50.00) and in default of payment thereof shall be imprisoned not exceeding fifty (50) days

All fines shall be paid to any regularly incorporated society for the prevention of cruelty to animals bringing the prosecution

Section 919 Cruelty to Cow to Enhance Appearance of Udder

Whoever kneads or beats or pads the udder of any cow or wilfully allows it to go unmilked for a period of twenty-four (24) hours or more for the purpose of enhancing the appearance or size of the udder of said cow or by a muzzle or any other device prevents its calf if less than six weeks old from obtaining nourishment and thereby relieving the udder of said cow for a period of twenty-four (24) hours shall upon conviction thereof in a summary proceeding be fined not exceeding twenty-five dollars (\$25.00) and in default of payment thereof shall be imprisoned not exceeding twenty-five (25) days

Section 920 Cropping Ears of Dog

Whoever crops the whole or part of the ear of a dog or shows or exhibits any dog whose ear is cropped unless such person has in his possession a certificate of a duly licensed veterinarian stating that such cropping was necessary for the health of the dog shall upon conviction thereof in a summary proceeding be fined not exceeding twenty-five dollars (\$25.00) and in default of payment thereof shall be imprisoned not exceeding twenty-five (25) days and for a second or subsequent offense shall be fined not exceeding one hundred dollars (\$100) and in default of payment thereof shall be imprisoned not exceeding sixty (60) days

Section 921 Seizure of Animals Kept for Baiting or Fighting

Any agent of the Pennsylvania Society or of any regularly incorporated society for the prevention of cruelty to animals shall have power to seize any bull bear dog cock or other creature kept used or intended to be used for the purpose of fighting or baiting and to sell the same for the benefit of said society. When the seizure is made the animal or animals so seized shall not be deemed absolutely forfeited but shall be held by the officer seizing the same until a conviction of some person is first obtained for keeping or using or being connected with or interested in the management of any place used for fighting or baiting animals and the animal or creature seized shall have been found on the premises which are the subject of the complaint. The agent making such seizure shall make due return to the magistrate before whom the complaint is heard of the number and kind of animals or creatures so seized by him and it shall be the duty of the magistrate hearing the complaint in case of a conviction to make the forfeiture of such animals or creatures seized a part of the sentence

Section 922 Power to Make Arrests in Cruelty-to-Animal Cases

Any peace officer or any agent of any society or association for the prevention of cruelty to animals duly incorporated under the laws of this Commonwealth may arrest upon view of any offense against sections 915 to 921 inclusive of this act and any such peace officer or agent may also arrest on warrants for such violations duly issued according to law

Article X

Forgery and Offenses Against the Coin

Section 1001 Counterfeiting or Debasing Coinage

Whoever with respect to the coinage in use as money within this Commonwealth and with intent to defraud

(a) Counterfeits the same

(b) Debases a genuine coin by defacing impairing or diminishing it

(c) Traffics in or brings into this Commonwealth any coin knowing the same to be counterfeit or debased

(d) Utters or has in his possession with intent to

utter any coin known by him to be counterfeit or debased

shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 1002 Issuing Unauthorized Currency

Whoever makes or issues any note bill check ticket or order intended to be used as currency which is not authorized by law shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 1003 Forging or Counterfeiting Written Instruments

Whoever with intent to defraud

(a) Forges counterfeits or alters any written instrument of apparent legal efficacy

(b) Utters or has in his possession such instrument knowing the same to be forged counterfeit or altered

(c) Is concerned in the doing of any of the acts prohibited and made criminal by this section shall be imprisoned not exceeding ten (10) years or fined not exceeding ten thousand dollars (\$10,000) or both

Section 1004 Making or Possessing Counterfeiting Tools and Material

Whoever sells makes prepares or repairs or has in his possession any tool instrument implement machine or material with intent that the same shall be used by himself or another in forging altering counterfeiting or debasing any written instrument of apparent legal efficacy or any of the coinage in use as money in this Commonwealth shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both

Section 1005 Advertising Counterfeited or Forged Matter

Whoever writes prints publishes or distributes or has in his possession with intent that it be published or distributed any written or printed matter

(a) Advertising or offering to furnish or procure any counterfeited forged or debased coin token or written instrument of apparent legal efficacy

(b) Giving or purporting or offering to give information where how of whom or by what means any of the aforesaid may be procured

with knowledge that it is counterfeited forged or debased shall be imprisoned not exceeding two (2) years or fined not exceeding two thousand dollars (\$2000) or both

Section 1006 Tampering with Public Records

Whoever with intent to defraud destroys forges defaces alters falsifies secretes or carries away any minute document or record of any public office shall be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both. If such offense be committed by a public officer it shall constitute misbehavior in office as provided for in the Constitution of this Commonwealth and as a part of the judgment of the court such officer shall upon conviction be removed from office and the office declared vacant

Section 1007 Forging Telegrams

Whoever with intent to deceive injure or defraud sends or delivers any false or forged telegram knowing the same to be false or forged shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 1008 Forging Brands

Whoever with intent to defraud counterfeits impresses alters conceals defaces or erases the trademark mark brand or stamp on any article or container shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 1009 Possession of Forged Labels

Whoever has in his possession or custody any stamp wrapper or label or any die plate or engraving from which such stamp wrapper or label may be made with intent to defraud by aiding in any way whatever the selling of goods as the goods of another shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Section 1010 Selling Goods with Forged Labels

Whoever sells any goods having thereon any forged or counterfeited stamp mark wrapper or label of another knowing the same to be forged or counterfeited shall be

imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both

Article XI

General Provisions

Section 1101 Common Law and Other Offenses Preserved

All conduct which is now criminal by either the common law or a statute of this Commonwealth not repealed by this act and not specifically provided for in this act shall continue to be criminal. Whoever is convicted of a common law misdemeanor shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both.

Section 1102 Civil Rights and Remedies Preserved

The provisions of this act shall not affect any civil rights or remedies now existing by virtue of the common or statute law.

Section 1103 Civil Penalties not Affected

The omission to specify or affirm in this act any liability to damages penalty forfeiture or other remedy imposed by law and allowed to be recovered or enforced in any civil action or proceeding for any act or omission declared punishable herein shall not affect any right to recover or enforce the same.

Section 1104 Penal Acts Strictly Pursued

In all cases where a remedy is provided or duty enjoined or anything directed to be done by the penal provisions of any act of Assembly the direction of said act shall be strictly pursued and no penalty shall be inflicted or anything done agreeably to the provisions of the common law in such cases further than shall be necessary for carrying such act into effect.

Section 1105 Principals in the Second Degree and Accessories Aiders and Abettors

Whoever aids abets counsels commands causes procures or is concerned in the commission of a crime may be charged indicted tried and convicted as a principal and unless another punishment is expressly provided by law punished in all respects as if he had actually committed the criminal act.

Section 1106 Accessories After the Fact

Whoever knowing that a crime has been committed by another unlawfully receives relieves comforts or assists him in order to hinder or prevent his apprehension trial conviction sentence or punishment shall if the crime be a felony be imprisoned not exceeding five (5) years or fined not exceeding five thousand dollars (\$5000) or both.

Whoever is guilty of the crime defined by this section may be indicted tried convicted and sentenced for it whether or not the person committing the felony has been previously convicted or is amenable to justice.

Section 1107 Accessories After the Fact in Murder

Whoever knowing that the crime of murder has been committed by another unlawfully receives relieves comforts or assists him in order to hinder or prevent his apprehension trial conviction sentence or punishment shall be imprisoned not exceeding twelve (12) years or fined not exceeding twelve thousand dollars (\$12,000) or both.

Section 1108 Attempts to Commit Crime

Whoever attempts to commit a crime shall be guilty of a crime and shall be

(a) Imprisoned not exceeding twenty (20) years or fined not exceeding ten thousand dollars (\$10,000) or both if the crime which he attempted is punishable by death or imprisonment for life.

(b) Imprisoned not exceeding one-half or fined not exceeding one-half or both of the maximum imprisonment and fine prescribed by law for the crime attempted except where the punishment for the attempt is specifically provided for by law.

Upon the trial of any person charged with a crime the jury may convict the accused either of the crime charged or of an attempt to commit the same as the evidence may warrant.

Section 1109 Solicitation

Whoever solicits another to commit a crime if such solicitation is not otherwise specifically provided for by

law shall be imprisoned not exceeding one (1) year or fined not exceeding one thousand dollars (\$1000) or both.

Whoever is convicted of solicitation to commit the crime of perjury in addition to the penalties herein prescribed shall be thereafter disqualified from being a witness.

Section 1110 Conspiracy

Whoever conspires with another person to do an unlawful act shall be imprisoned not exceeding three (3) years or fined not exceeding three thousand dollars (\$3000) or both.

Section 1111 Sentences

Imprisonment at separate or solitary confinement at hard labor and all modified forms thereof are hereby abolished and all sentences to imprisonment for any offenses shall specify imprisonment only notwithstanding the provisions of any act prescribing any form of imprisonment hereby abolished.

Any crime punishable by imprisonment by two (2) or more years shall be deemed a crime punishable by imprisonment in a state penitentiary and the sentence imposed for any such crime may be to a state penitentiary in all other respects sentence shall be imposed in the manner now or hereafter provided by law.

Section 1112 Restitution

On all convictions for any crime wherein property has been stolen or converted in addition to the punishment prescribed therefor the defendant may be adjudged to restore such property to the owner thereof and in default of such restitution to pay the value of the same or so much thereof as may not be restored. The court shall have the power in adjudging restitution as aforesaid to fix and determine the amount to be paid in accordance with the evidence presented at the trial but no judgment of restitution should debar the owner of his right by appropriate legal action to recover from the defendant the said property or the true value thereof less such payments as shall have been actually made by the defendant in compliance therewith.

Section 1113 Second and Subsequent Offenses

(a) Second and Third Offenses

Whoever after having been convicted within or without this Commonwealth of the crime or attempt to commit the crime of treason murder voluntary manslaughter sodomy buggery burglary felonious entry robbery arson kidnapping sale of narcotics perjury abortion pandering and incest or any crime committed or attempted to be committed through the instrumentality of or with the aid of a deadly weapon or gunpowder or other explosive substance or corrosive fluid may upon conviction of any such crimes for a second offense committed within five (5) years after the conviction for the first offense or subsequent offense committed within five (5) years after the conviction for the second offense be sentenced to imprisonment for a term the maximum of which shall not be more than twice the longest term prescribed upon a first conviction of the crime in question.

(b) Fourth Offenders

Whoever after having been three (3) times convicted within or without this Commonwealth of any of the crimes enumerated in clause (a) of this section again commits any such crime within five (5) years after the third conviction may be sentenced in the discretion of the judge trying the case to imprisonment in a State penitentiary for the term of his natural life.

(c) Computation of Period Between Convictions

In computing the period of time between convictions as provided in clauses (a) and (b) of this section any period of servitude by a person in a penal institution within or without this Commonwealth shall not be included in the computation of any of said five-year periods. It is hereby declared that the intent of said clauses is that said five-year periods shall run only during the time any such person shall be at liberty.

(d) Accusation of Previous Convictions Procedure

If at any time within two (2) years either after conviction or sentence it shall appear that a person convicted of any of the crimes set forth in clause (a) of this section has previously been convicted of any such crimes

one (1) or more times it shall be the duty of the district attorney of the county in which the last conviction was had to file a complaint accusing the said person of having violated the provisions of and being amenable to the punishment provided for in subsection (a) or (b) hereof as the case may be and to serve a copy of such information upon the defendant thirty (30) days before taking any further proceedings in court as hereinafter set forth Thereupon the court in which the last conviction was had shall cause the said person whether confined in prison penitentiary or otherwise to be brought before it and shall inform him of the allegations contained in such complaint and of his right to be tried as to the truth thereof according to law and shall require such offender to say whether he is the same person as charged in such complaint or not If he says he is not the same person or refuses to answer or remains silent his plea or the fact of his silence shall be entered on record and a jury shall be empanelled to inquire whether the offender is the same person mentioned in the several records as set forth in such complaint If the jury finds that he is the same person or if he acknowledges or confesses in open court after being duly cautioned as to his rights that he is the same person the court may sentence him to imprisonment as prescribed in clauses (a) or (b) of this section and shall vacate any previous sentence notwithstanding that the term of court in which the last sentence was imposed may have expired Such sentence shall be reviewable on appeal by the Supreme or Superior Courts not only as to alleged legal errors but also as to the justice thereof Where any such defendant is indigent the costs of appeal together with reasonable counsel fee shall be paid by the Commonwealth Whenever it shall become known to any warden or prison probation parole or police officer or other peace officer that any person charged with or convicted of crime has been previously convicted within the meaning of this section it shall become his duty forthwith to report the facts to the said district attorney

(e) Formal Indictment and Conviction Unnecessary

A person need not be formally indicted and convicted as a previous offender in order to be sentenced under this section

Article XII

Acts of Assembly Repealed

Section 1201 Repeals

Except as herein provided the following acts and parts of acts and their amendments are hereby repealed absolutely

Section eighteen of the act approved the twenty-eighth day of May one thousand nine hundred fifteen P. L. 587) entitled "An act to protect the public health by regulating the manufacture preparation handling storage sale transportation and possession of meat and meat food products prescribing the powers and duties of the State Livestock Sanitary Board incidental thereto"

The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1364) entitled "An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines and providing a penalty"

The act approved the twenty-fifth day of May one thousand nine hundred thirty-nine entitled "An act to amend the title and section one of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1364) entitled 'An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines and providing a penalty' as amended by including the use of other fraudulent methods and artifices to procure the operation of such instruments or machines"

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" except section one thousand two hundred one thereof which shall for all purposes remain in full force and effect

The act approved the tenth day of April one thousand

nine hundred forty-five (P. L. 184) entitled "An act to prohibit the unlawful wearing of uniforms of the armed forces or branches thereof and imposing penalties for violation thereof"

Section two of the act approved the fifth day of May one thousand nine hundred forty-five (P. L. 426) entitled "An act to authorize certain persons to take affidavits and acknowledgments in connection with the administration of the affairs of veterans and their dependents making certain offenses punishable as perjury and imposing penalties"

Section eight of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed except insofar as the same (a) relate to the jurisdiction to indict and try offenses or (b) fix the limitation of time within which persons charged with offenses may be indicted or (c) relate to evidence or the competency of witnesses or (d) relate to searches and seizure or (e) relate to the return of transcripts of cases or (f) relate to the form or contents of indictments

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn	Rahauser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 373, on third reading, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private

bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporations; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business, or both.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one, two, and three of the act approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 606), entitled "An act relating to the sale, transfer, assignment and pledge of accounts receivable", by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignors and for giving notice of assignments to account debtors and the effects thereof respectively.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 493, on third reading, entitled:

An Act to further amend clause sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions, and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. GELTZ. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend page 3 of the bill by adding at the end of line 6, the following: "nor to the unexpended balances of the appropriations for Darby Creek construction and maintenance made by the Act of June 1, 1943, Appropriation Acts, page 17, nor to the appropriation for the maintenance of the Pennsylvania Canal made by the Act of June 1, 1943, Appropriation Acts, page 47, nor to the appropriation for protection of the State Park and State Highway on Presque Isle Peninsula at Erie made by the Act of June 1, 1943, Appropriation Acts, page 16, nor to the balance of the appropriation for Welfare institutional construction made by the Act of June 1, 1943, Appropriation Acts, page 53, nor to the appropriation for Capitol Park Extension made by the Act of June 3, 1943, pamphlet laws Page 818."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 505, as follows:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth

day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" as amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) is hereby further amended to read as follows

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meaning

"Board" the Municipal Employees' Retirement Board

"Municipality" a city borough town township county and institution district

"Municipal Employee" a person holding an office or position under a municipality or an institution supported and maintained by it in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality with its funds or through any separate institution supported and maintained through trustees or otherwise by it The term shall not include officers and employees paid wholly on a fee basis

"Member" a municipal employee who has become a member of the Municipal Employees' Retirement System established by this act

"Original Member" a municipal employee who was a municipal employee at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employee who first becomes a municipal employee after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employee who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employee but has retired and is receiving a retirement allowance as provided in this act

"Prior Service" all service as a municipal employee completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification unless the municipality has elected to limit to ten years the period of such service.

"Prior Salary" the annual salary or compensation earned by a municipal employee and paid by the municipality during the year immediately preceding the date the municipality by which he is employed joined the retirement system established by this act In computing prior salary if the amount thereof shall exceed four thousand dollars (\$4000) it shall for the purpose of this act be limited to four thousand dollars (\$4000)

"Superannuation Retirement Age [sixty] sixty-five years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employee and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars (\$4000) it shall for the purpose of this act be limited to four thousand dollars (\$4000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and

paid over by the municipality or paid by the municipal employee or from any existing pension or retirement system directly into the retirement fund and credited to the member's account together with regular interest thereon "Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investments in any year

"Municipal Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employee

"Retirement Allowance" the municipal annuity plus the member's annuity

"Fund" the Municipal Employees' Retirement Fund created by this act

Section 2 Sections eight and fourteen of said act are hereby amended to read as follows

Section 8 Procedure to Setup of Municipal Employees' Retirement System Municipalities Joining Thereafter Right to Withdraw Denied When [twenty-five or more] municipalities having an aggregate of at least two hundred and fifty eligible municipal employees have by ordinance or resolution elected to join the Municipal Employees' Retirement System the State Employees' Retirement Board shall so notify the Governor and the Municipal Employees' Retirement Board created by this act shall be forthwith constituted

The board shall fix a time when the Municipal Employees' Retirement System shall become effective and shall advise the joining municipalities of the manner and times in which the payments by the municipalities on their respective accounts and on account of member's payroll deductions shall be made and other details of the system shall be carried out It shall also work out all details in respect to the transfer of existing local retirement and pension funds in accordance with this act

The date so fixed for the retirement system to become effective shall be deemed the date when the municipalities have joined the system

After the system has been established any other municipality may at any time elect to join the system in the manner provided by this act and in such cases the board shall fix a time when the system shall become effective as to such municipality which shall be deemed the date when it joined the system

No municipality after it has joined the retirement system shall be permitted to withdraw therefrom and in case of failure to make payments as required by this act the board may recover any sums due to the fund by suit at law or other appropriate remedy

Section 14 Determination of Municipal Liability The actuary shall as soon as may be determine the present value of the liability of each municipality for the prior service credits to its original members and shall establish an amount payable annually over a period not exceeding [twenty-five] thirty years through which payments such prior service liability may be funded Each municipality shall have the option to spread the payment of such prior service liability over such period of years or in lieu thereof to make payments on account of such liability annually in amounts sufficient to pay the prior service liability of the municipal annuity of each beneficiary payable during such year

The actuary shall also determine from time to time the amount which shall be contributed annually by each municipality for service credits of original and new members subsequent to the time the municipality joined the retirement system in order that all future service liability may be funded on an actuarial basis

The amounts so determined by the actuary may be expressed in a percentage of the payroll of the municipality covering its contributing members

The cost of making the valuations required by this section and in the transfer of any existing pension system

of any municipality shall be paid by the municipalities as part of the costs of the administration of this act

Section 3 The third paragraph of section eighteen and clause (b) of section twenty of said act as amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) are hereby further amended to read as follows

Section 18 Contributions by Members Consolidation of Credits Change of Employment

* * * * *

If the rate of contribution so computed shall exceed [seven] five per centum of his earnable salary the member may request the board to be permitted to contribute at a lesser rate and if the board finds that there are reasons which justify such reduction then there shall be deducted [seven] five per centum of his earnable salary

Section 20 Retirement for Superannuation Retirement for superannuation shall be as follows

* * * * *

(b) On retirement for superannuation contributor shall be entitled to a retirement allowance throughout his life which shall consist of

(1) A member's annuity which shall be the actuarial equivalent of his accumulated deductions and

(2) A municipal annuity which shall be equal to (a) for current service one one-hundred-thirtieth of his final salary (not exceeding however in any event a final salary of four thousand dollars (\$4000) for each year of [total] service while a member and in addition thereto [in the case of an original member one one-hundred-thirtieth of such salary for each year of prior service if the municipality has paid or has obligated itself for the payment of the contributions of the member for his prior service] (b) for prior service in the case of an original member one one-hundred-thirtieth of his prior service (not exceeding however in any event a final salary of four thousand dollars (\$4000) for each year of prior service of the municipality has paid or has obligated itself for the payment of contributions necessary to provide for such additional one one-hundred thirtieth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsber,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING, AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," providing for the purchase by the municipality of Pension Annuity Contracts for policemen.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, on behalf of the sponsor, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

During the reading of the amendment the following occurred:)

AMENDMENT WITHDRAWN

Mr. TALLMAN. Mr. President, I wish to withdraw the amendment.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 519, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 551, as follows:

An Act guaranteeing any person accused of the commission of crime the protection of the law providing the procedure therefor and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 If a criminal prosecution shall have been instituted or a warrant of arrest issued or an arrest made or attempted to be made with the intent of criminal prosecution in the courts of any county against any person within the jurisdiction of said county whether or not he be a citizen of the United States and such person shall have reasonable cause to believe that he will be denied the equal protection of the laws by the county within whose jurisdiction he is or by any officer or resident of such county such person shall have a right to appeal to the Superior Court for transfer of his custody to another county to insure the protection of the courts and officers of the Commonwealth as guaranteed by the Constitution

Section 2 (a) Whenever any person within this Commonwealth or any person on his behalf shall file with the prothonotary of the Superior Court a duly verified petition alleging that (1) said petitioner is charged with or has been arrested for the commission of or participation in some offense the nature of which shall be described in detail (2) some other person of his race color nationality or religion within the jurisdiction of said county charged with a crime similar to that with which the petitioner is charged or for which he has been arrested has been put to death without trial brutally as-

saulted or otherwise maltreated or has been denied trial by due course of law in the courts of said county (3) said petitioner has reason to believe that because of his race color nationality or religion which shall be specified he is likely to be denied the equal protection of the laws either by the courts the officers of the law or other persons of the county within which he is a sojourner the prothonotary of said court shall issue forthwith to a member of the Pennsylvania State Police a warrant commanding him to take into custody and produce for a hearing before said court the body of the person in jeopardy for whom said petition was filed

(b) Said warrant shall be the authority of the Pennsylvania State policeman to arrest and detain the petitioner to remove him from the custody of any officer or person in whose legal custody he may be found awaiting trial or indictment and to protect him from assault or injury until delivered into the custody of the Superior Court

Section 3 The petitioner shall be entitled to a summary hearing before a judge or judges of the Superior Court If the allegations set forth in the petition be not sustained the petitioner shall be returned to the custody of the officer or person from whom he shall have been removed but if the original arrest be made by the Pennsylvania State policeman he shall be set at liberty and in either event the costs of the proceedings shall be assessed against the petitioner If the petition be sustained the petitioner shall be remanded to the custody of the Superintendent of the Pennsylvania State Police or committed to a proper penal institution to await trial in a court of quarter sessions of the peace or over and terminer of such county as shall be designated by the Superior Court upon such indictment information or other charges as may have been or may be made or returned against him The county so designated shall have and possess jurisdiction to try and determine any and all proceedings upon indictment or information which may have been removed from the county of original jurisdiction

Section 4 Whoever shall rescue or attempt to rescue take abduct or aid in escaping any person arrested under the authority of a warrant issued under the provisions of this act or shall harbor or conceal any person for whose arrest such warrant shall have been issued so as to prevent his discovery and arrest with knowledge that such warrant has been issued is guilty of a crime and shall be subject to a fine not exceeding one thousand dollars (\$1000) or imprisonment not exceeding one year or both Should said prisoner be killed in taking or rescuing him it shall be murder and all persons participating in the taking or rescue shall be guilty thereof

Section 5 (a) Whoever constitutes part of a mob or a riotous assemblage of three or more persons acting openly in concert in violation of law in putting to death any person or persons within the jurisdiction of said county shall be guilty of murder

(b) Any county in which such unlawful putting to death may occur through the default of the duly constituted officers thereof shall be subject to a forfeiture of twenty-five thousand dollars (\$25,000) which shall be recovered by action prosecuted by the Attorney General in the name of the Commonwealth in a court of common pleas of any county within the Commonwealth other than the county in which such unlawful killing occurred Such forfeiture shall go to the use of the dependents if any of the person or persons so put to death and if none for the use of the Commonwealth If such forfeiture be not paid upon recovery of judgment the court in which said judgment was recovered shall have jurisdiction to enforce payment by mandamus levying and collecting a tax therefor or other appropriate process All persons who disobey or fail to comply with any lawful order of the court in the premises shall be guilty of contempt

(c) Any officer having the duty or power of preservation or conservation of the peace and having reasonable cause to believe that such an unlawful killing is being perpetrated or is to be attempted and neglects or omits to make all reasonable efforts to prevent the same and

any officer having the duty or power of prosecuting criminal offenses at such time and place who neglects or omits to make all reasonable efforts to prosecute under the laws of the Commonwealth all persons participating in such mob or assemblage as hereinbefore described shall be guilty of a crime and upon conviction thereof shall be sentenced to pay a fine of five thousand dollars (\$5000) or to undergo imprisonment for five (5) years or both

(d) Every officer having legal custody of any person charged with or held to answer for any crime or offense who permits such person to be taken from his custody by a mob or riotous assemblage of three or more persons acting openly in concert in violation of law for the purpose of putting such person to death or inflicting bodily violence upon him shall be guilty of a crime and upon conviction thereof shall be sentenced to pay a fine not exceeding five thousand dollars (\$5000) or to undergo imprisonment not exceeding five (5) years or both

Section 6 It shall be the duty of the Attorney General in any prosecution for any of the offenses defined in this act or in any action for forfeiture as herein provided to make diligent inquiry of the qualifications of all persons called for jury service at such term of court And he shall have the right to present such information as may be ascertained to challenge the qualifications of such jurors Every person who shall have participated in the lynching or in the putting to death of or of the infliction of bodily violence upon any person without authority of law who has expressed his approval of lynching or in justification or excuse thereof shall be disqualified from jury service And every person who refuses to answer any inquiry on his voir dire on the ground that he may thereby incriminate himself shall also be ineligible to serve as a juror

Section 7 Section three hundred twenty-six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 586, as follows:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as "The CPA Law"

Section 2 Definitions The following words and phrases when used in this act shall have the meanings ascribed to them in this section

(1) "Board" The State Board of Examiners of Public Accountants as constituted by The Administrative Code of 1929 and its amendments

(2) "Departments" The Department of Public Instruction of this Commonwealth as constituted by The Administrative Code of 1929 and its amendments

Section 3 General Powers of the Board The board shall have the power

(1) To provide for and to regulate the issuance of certificates to certified public accountants and to issue upon passing the examination required by the board except as otherwise provided herein a certificate of certified public accountant to any person of good character and repute if such persons resides in this Commonwealth is a citizen of the United States is at least twenty-one years of age speaks and writes the English language and meets any of the experience requirements hereinafter specified

(2) To prescribe the subject manner time and place of examination for the certificate of certified public accountant to collect fees for such examination and to issue certificates to such persons as pass examinations Provided That an examination shall be held at least once in each calendar year and simultaneously in at least two counties of the Commonwealth and shall be a written examination in commercial law as affecting public accounting and in general accounting including theory of accounts accounting practice auditing and taxation The board may use the examination service of the American Institute of Accountants

(3) To keep a roster showing the names and the places of business of persons to whom the certificate of certified public accountant has been issued under this act and under prior laws The department shall publish such roster biennially in booklet form and shall mail copies thereof to each certified public accountant listed and shall furnish the same to other persons upon request

(4) To suspend for a fixed term or revoke the certificate of any certified public accountant who is found guilty by the board by a unanimous vote of all its members of the practice of any fraud deceit or wilful misrepresentation in obtaining his certificate or of wilful gross neglect fraud deceit or wilful misrepresentation in practice as a certified public accountant or who has under any state or Federal law pleaded guilty entered a plea of nolo contendere or has been found guilty by a judge or jury of a felony and to reinstate certificates in all cases where a majority vote of the board shall determine the same to be just and proper

(5) To submit biennially to the department an estimate of the financial requirements of the board for the administrative investigative legal and miscellaneous expenses

(6) To arrange for assistance in the performance of its duties and to administer and enforce the laws of the Commonwealth relating to practice by certified public accountants and to instruct and require its agents to seek an injunction or bring a prosecution for a violation of this act

(7) To keep minutes and records of all its transactions

and proceedings Copies thereof duly certified by the Secretary of the board shall be received as evidence in all courts and elsewhere

(8) To become a member of the Association of Certified Public Accountant Examiners or a similar organization and to pay such dues as said association shall establish and to send delegates to the annual meeting of the association and to defray their expenses

(9) To adopt promulgate and enforce such administrative rules and regulations not inconsistent with this act or other acts as are necessary and proper to carry into effect the provisions of this act

Section 4 Experience Requirements A certificate of certified public accountant shall not be issued to any person until the board shall be satisfied that he has complied with one of the following experience requirements by serving

(1) At least two years in the office of a certified public accountant or an accountant in public practice or (2) at least two years in public practice as an accountant or as a member of a firm of accountants so engaged

The board may in its discretion issue a certificate to any honorably discharged veteran who shall have served in the armed forces of the United States during any period of World War II prior to the termination of hostilities as declared by the President of the United States without regards to his compliance with either of the experience requirements prescribed herein

Nothing contained in this section shall be construed to prevent any person from taking an examination before he has complied with either of the experience requirements prescribed herein

Section 5 Reciprocal Certificates Without written examination upon application to and upon the recommendation of the board but subject to the payment of a fee to be fixed by the department which fee is to accompany the application the board shall issue a certificate of certified public accountant to a holder of a certificate of certified public accountant issued as the result of a written examination by any other state or political subdivision of the United States provided that the applicant shall submit evidence satisfactory to the board that

(1) He is twenty-one years of age or over and of good moral character

(2) He is a citizen of the United States.

(3) He resides within this Commonwealth and therein engages in public practice as an accountant or he is a nonresident of this Commonwealth but maintains a bona fide office within this Commonwealth as an accountant in public practice or is employed within this Commonwealth in the office of a certified public accountant or an accountant in public practice

(4) He has been engaged in public practice as an accountant in one or more of the states or political subdivisions of the United States for at least two years since the issuance of the certificate upon which said reciprocal action is to be based

(5) His certificate as a certified public accountant issued by any state or political subdivision of the United States is not revoked or suspended for improper conduct and

(6) His accounting experience is substantially equivalent to the requirements of this act for issuance of a certificate as a certified public accountant in this Commonwealth

Section 6 Fees The fee for an applicant for a certificate as a certified public accountant shall be fixed by the department in accordance with existing law All fees collected under the provisions of this act shall be received by the department and shall be paid into the State Treasury through the Department of Revenue for the use of the General Fund of the Commonwealth

Section 7 Status of Existing Certificates of Certified Public Accountants Preserved Any person legally authorized to practice as a certified public accountant in this Commonwealth at the time this act takes effect shall thereafter possess the same rights and privileges as persons to whom certificates of certified public accountant shall be issued pursuant to this act subject however to the power of the board as provided in this act to suspend

or revoke the certificate of any such person for any of the causes set forth in this act

Section 8 Rights of Candidates heretofore Accepted by the Board Servicemen (a) Any person who prior to the date of the enactment of this act shall have been accepted by the board as a candidate for examination shall for a period of three years from the date of enactment of this act be entitled to the privileges of sitting for subsequent examinations regardless of any changes in the qualifications of candidates from those in force at the time of his original application and shall receive credit for passing grades obtained in any examinations conducted three years prior to the effective date of this act

(b) Any person who on the effective date of this act has served or is serving in the armed forces of the United States or any of the United Nations or in the merchant marine of the United States or in actual service with the armed forces of the United States as an officer or member of the American National Red Cross or American Field Service shall for a period of five years subsequent to the enactment of this act be entitled to the privilege of sitting for examinations regardless of any change in the qualifications of candidates from those in force at the time of his entry into said service

Section 9 Procedure for the Suspension and Revocation of Certificates Appeals The procedure to be followed in the suspension and and revocation of certificates and in appeals taken from actions of the board shall be that prescribed by the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) known as the Administrative Agency Law and its amendments

Section 10 Employees and Assistants The departments shall assign to the board such agents clerks stenographers assistants and investigators as may be deemed necessary to carry out and enforce the provisions of this act

Section 11 Ownership of Working Papers All statements records schedules working papers and memoranda made by a certified public accountant incident to or in the course of professional service to clients by such certified public accountant except reports submitted by a certified accountant to a client shall be and remain the property of such certified public accountant in the absence of an express agreement between the certified public accountant and the client to the contrary

Section 12 Unlawful Acts (a) It is unlawful for any person to use the title "certified public accountant" or any abbreviation thereof or the letters "CPA" in connection with his name unless he shall hold a certificate as a certified public accountant issued by this Commonwealth

(b) It is unlawful for any person to use the title "certified public accountant" or any abbreviation thereof or the letters "CPA" by virtue of any certificate illegally or fraudulently obtained by such person or issued unlawfully or through any fraudulent representation or deceit or misstatement of material fact or fraudulent concealment of a material fact made or induced or aided or abetted by such person

(c) It is unlawful for any person to use the title "certified public accountant" or any abbreviation thereof or the letters "CPA" while his certificate as a certified public accountant shall be void revoked or suspended pursuant to this act

(d) It is unlawful for any member of a partnership to use the title "certified public accountant" or any abbreviation thereof in connection with the partnership name unless (1) each partner resident or engaged within the United States in the performance of accounting work is in good standing as a certified public accountant of a state or political subdivision of the United States and (2) each partner resident or personally active in the performance of accounting work within the State is a certified public accountant of this Commonwealth and (3) there is at least one such partner

(e) It is unlawful for any person to sell or offer to sell or fraudulent obtain furnish or procure any certificate under the provisions of this act or cause or aid or abet another person so to do

(f) It is unlawful for any person to sign or affix a

corporate name with any wording indicating that it is a corporation performing services as certified public accountants or composed of certified public accountants to any accounting or financial statement or to any report on or certificate to any accounting or financial statement

Section 13 Acts not Unlawful Nothing contained in this act shall be construed to prohibit any holder of a certified public accountant certificate of another state or political subdivision of the United States from temporary rendering services in this Commonwealth incident to his regular practice in such other state or political subdivision of the United States

Section 14 Injunction Against Unlawful Act Whenever in the unanimous judgment of all the members of the board any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of this act the board or its agents may make application to the appropriate court for an order enjoining such acts or practices and upon a showing by the board that such person has engaged or is about to engage in any such acts or practices an injunction restraining order or such other order as may be appropriate shall be granted by such court without bond

Section 15 Single Act Evidence of Practice The wilful or knowing display or uttering by a person of a card sign advertisement or other printed engraved or written instrument or device bearing a person's name in conjunction with the words "certified public accountant" or any abbreviation thereof or any designation prohibited by this act shall be prima facie evidence in any prosecution proceeding or hearing that the person whose name is so displayed caused or procured the display or uttering of such card sign advertisement or other printed engraved or written instrument or device and that such person is holding himself out to be a certified public accountant In any prosecution or proceeding under this act evidence of the commission of a single act prohibited by this act shall be sufficient to justify a conviction without evidence of a general course of conduct

Section 16 Penalties (a) Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or suffer imprisonment not exceeding one (1) year or both

(b) The right of the board to suspend and revoke certificates issued under this act shall be in addition to the penalties set forth in this section

Section 17 Repeals The act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" and its amendments are hereby repealed

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridder,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1050, as follows:

An Act to protect consumers in the purchase for fuel purpose of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Legislative Purpose Short Title This act is enacted by the General Assembly in the exercise of the police power of the Commonwealth for the protection of consumers and purchasers for resale wherever located in the purchase for fuel purposes of the hard coal known as anthracite. This act shall be known and may be cited as the Anthracite Standards Law

Section 2 Definitions The following words and phrases as used in this act shall be construed to mean

(a) "Anthracite" the hard coal mined in the Commonwealth of Pennsylvania

(b) "Anthracite Committee" the Anthracite Committee of the Department of Commerce of the Commonwealth of Pennsylvania constituted and organized in accordance with the provisions of the Commerce Law approved May 10 1939 (P. L. 111) as amended May 5 1945 (P. L. 432) to administer the Production Control Plan for the Anthracite Industry

(c) "Producer" a person association partnership or corporation or his or its legal representative engaged in operating a preparation plant and in the sale delivery or shipment to market therefrom of anthracite for fuel purposes

(d) "Dealer" a person association partnership or corporation or his or its legal representative purchasing anthracite for resale to consumers for fuel purposes and who maintains a place for the storage of anthracite

(e) "Preparation Plant" a breaker washery or other plant where run-of-mine anthracite from mine and strip-pings or anthracite from refuse banks is processed by crushing washing screening and the removal of impurities to make the same suitable as a fuel

(f) "Sizes" include the sizes of anthracite commonly known as broken egg stove nut pea buckwheat and rice the sizings for which are set forth in the definition of "Standard Anthracite" "Sizes" does not include and this act shall not be construed to apply to anthracite of smaller sizes than those herein enumerated

(g) "Standard Anthracite" anthracite which does not exceed the following specifications as to undersize and ash or slate and bone content

Size of Anthracite	Test Mesh Round		Under size	Ash Content	Maximum	Percentage
	Though	Over	Maximum	Maximum	Slate	Bone
Broken	4 $\frac{3}{8}$ "	3 $\frac{1}{4}$ "-3"	15%	11%	or 1 $\frac{1}{2}$ %	2%
Egg	3 $\frac{1}{4}$ "-3"	2 $\frac{1}{8}$ "	15%	11%	or 1 $\frac{1}{2}$ %	2%
Stove	2 $\frac{1}{8}$ "	1 $\frac{5}{8}$ "	15%	11%	or 2%	3%
Nut	1 $\frac{5}{8}$ "	$\frac{11}{8}$ "	15%	11%	or 3%	4%
Pea	$\frac{11}{8}$ "	$\frac{7}{8}$ "	15%	12%	or 4%	5%
Buckwheat	$\frac{7}{8}$ "	$\frac{5}{8}$ "	15%	13%		
Rice	$\frac{5}{8}$ "	$\frac{3}{8}$ "	17%	13%		

As to the maximum percentage of undersize and the maximum percentage of ash content a tolerance of 1% shall be allowed When slate content in the sizes from broken to nut inclusive is less than above standards bone content may be increased by one and one-half times the decrease in the slate content under the allowable limits but slate content specified above shall not be exceeded in any event The maximum percentage of undersize shall be applicable only to anthracite as it is produced at the preparation plant Anthracite which conforms to the sizing herein fixed and conforms also to either the specification for ash content or the specification for slate and bone content shall be deemed to be "Standard Anthracite"

(h) "Ash Content" the percentage which the weight of the ash from anthracite resulting from burning bears to the weight of the anthracite before burning after the anthracite has been dried for one hour at 105 degrees centigrade

(i) "Slate" any material which has less than 40% of fixed carbon

(j) "Bone" any material which has 40% or more but less than 75% of fixed carbon

Section 3 Statements by Producers as to Quality of Anthracite Every producer may issue with each sale and delivery at railroad car or motor vehicle shipment of anthracite from his preparation plant to the operator of the vehicle or to the dealer or person to whom delivery is made or to be made a written or printed statement attesting that the anthracite so sold delivered or shipped is "Standard Anthracite" if such anthracite conforms to the standard provided for in this act Such statement may be shown on the weighmaster's certificate if the certificate issues at the preparation plant otherwise a separate statement may issue

In the case of anthracite hauled from a preparation plant directly to the consumer if a statement is issued by the producer that the anthracite sold and delivered is standard anthracite it shall be the duty of the operator of the motor vehicle to deliver such producer's statement to the consumer at the time the anthracite is delivered to him In all other cases it shall be delivered to the dealer or person to whom delivery or shipment of the anthracite is made

It shall be unlawful for an operator of a motor vehicle to fail to deliver any such producer's statement to the consumer or to deliver any substituted or forged statement to a consumer

Section 4 Statements by Dealers and Others As to Quality of Anthracite Unlawful Acts Any dealer operating a place of storage or person hauling anthracite direct from a railroad car to a consumer who has had issued to him by a producer a statement attesting that anthracite purchased by him is standard anthracite may in the resale of such anthracite so purchased issue on the weighmaster's certificate a written or printed statement and deliver the same to the consumer attesting that the anthracite so sold is standard anthracite in so far as concerns the ash or slate and bone content thereof

It is unlawful for any dealer or his or its agent or employee to mix for sale or resale purposes in or at his place of storage or elsewhere anthracite attested by the producer by written or printed statement to be standard anthracite with another anthracite of the same or different size as to which no such producer's statement has been issued or to issue any statement attesting that anthracite as to which no such producer's statement was issued is standard anthracite

A dealer or a person engaged in hauling anthracite from a railroad car direct to the consumer who has preserved his records as required by this act and who has not been guilty of making mixtures prohibited by this act shall be entitled to rely upon the statement issued to him by a producer and shall not be subject to prosecution under this act for issuing a statement in accordance with the statement issued to him by the producer for the particular anthracite purchased by him under such statement

Section 5 Contents of Statements Statements issued by producers dealers and persons hauling anthracite from

a railroad car direct to the consumer attesting that anthracite being sold resold delivered shipped or marketed is standard anthracite shall set forth in ink or indelible pencil the date of the sale resale or shipment of the anthracite to whom sold delivered or shipped and the size of the anthracite. Each statement shall have thereon the signature of the producer dealer or other person which may be a facsimile signature.

Section 6 Preservation of Records. It shall be the duty of every producer to keep a record of all sales deliveries and shipments of anthracite as to which statements were issued attesting such anthracite to be standard anthracite showing the name of the person to whom sold or delivered the date thereof the weight and the point of delivery.

It shall be the duty of every dealer and of every person engaged in hauling anthracite from a railroad car direct to a consumer to keep a record of all statements issued to him by producers of anthracite attesting that the anthracite sold shipped or marketed was standard anthracite and also a duplicate record of the weighmaster's certificate issued by the dealer or other person for anthracite sold or resold and delivered to consumers attesting the same to be standard anthracite.

All such records shall be preserved for a period of two years and shall be open to inspection by the agents of the Commonwealth and of the Anthracite Committee during business hours.

Section 7 Powers of Agents of Anthracite Committee. Any agent of the Anthracite Committee shall have full access to every preparation plant and premises of a producer and the storage yard and premises of every dealer and to any railroad car or motor vehicle transporting anthracite wherever the same may be and shall have the legal right to take samples of anthracite thereat or therefrom for the purpose of testing the same upon paying or tendering where demanded the value of the sample so taken. They shall have the right to inspect the books and records of every producer and dealer relating to the sale resale shipment and delivery of anthracite as standard anthracite. Such agents shall make report of all inspections to the Anthracite Committee which shall be open to public inspection.

Section 8 Penalty. Any producer dealer or other person who shall issue any written or printed statement attesting that anthracite sold or resold shipped delivered or marketed by him is standard anthracite when the same does not conform to the standard fixed by this act or who shall sell resell ship deliver or market anthracite as grade A or premium anthracite or use any other similar designation leading or tending to lead the public to believe that the anthracite being sold resold shipped delivered or marketed is standard anthracite or who shall otherwise violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of not more than \$300 and in default of the payment of such fine and costs of prosecution shall be imprisoned for not less than 10 days or more than 20 days.

Any producer dealer or other person guilty of a second or subsequent violation of this act shall be guilty of a misdemeanor and upon conviction thereof the producer dealer person or the member or officer of any association partnership or corporation responsible for such violation shall upon conviction thereof be sentenced to pay a fine of not more than \$1000 or suffer imprisonment for not more than 6 months or both in the discretion of the court.

And said bill having been read at length the third time, and agreed to and the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1053, as follows:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows:

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof:

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a new section to read as follows:

Section 22 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of \$500,000,000 for the payment of compensation to certain persons from this Commonwealth who shall have served in the armed forces of the United States or of any of her allies during World War II between the seventh day of December one thousand nine hundred forty-one and the second day of September one thousand nine hundred forty-five for the service of such persons to their country whether or not they be living when distribution shall be made and if such persons shall be deceased when distribution shall be made such deceased person's compensation shall be paid to his spouse child children or parents.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,

Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SENATE BILL NO. 411 CALLED FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar, on page 8, Senate Bill No. 411, for consideration at this time.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 411, on third reading, entitled:

An Act authorizing Andrew J. Herbster and Carrie M. Herbster of the Village of Laurelton, Hartley Township, Union County, Pennsylvania, to bring suit against the Commonwealth of Pennsylvania in the Court of Common Pleas of Union County, for damage suffered by him by the diversion and use of the water of Stony Run and Laurel Run by Laurelton State Village at Laurelton, Pennsylvania.

be recommitted to the Committee on Judiciary General.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

HOUSE BILL NO. 487 CALLED FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar, on page 8, House Bill No. 487, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 487, as follows:

An Act to add subsection three point one to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for certain Commonwealth contributions to the fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school

employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" is hereby amended by adding immediately following subsection three a new subsection to read as follows

Funds

Section 8 * * * * *

3.1 Notwithstanding the provisions of subsection three of this section in the month of January one thousand nine hundred forty-eight for the period covering the six months immediately preceding and on the first day of July and January thereafter covering the preceding six months the Commonwealth shall pay into the fund created by this act on account of new entrants such amount as shall be certified by the retirement board as necessary to provide by such method of payment during the prospective active service of new entrants the State annuity reserve required at the time of retirement for the disability or superannuation State annuities allowable by the Commonwealth under the provisions of this act which amount shall be credited by the retirement board to the ledger account known as the contingent reserve account

The amount so certified by the Retirement Board shall be computed to bear a ratio to the salaries earnable by new entrants during the period for which the amount is certified The ratio shall be computed as a level percentage of the prospective compensation of new entrants and shall be based on such mortality and other tables as shall be adopted by the Retirement Board and on regular interest Such ratio shall be computed on the basis of each actuarial valuation and shall be determined by deducting from the present value of the liabilities of the contingent reserve account the sum of the assets credited to that account on the valuation date and dividing the remainder by the present value of the future salaries of new entrants who are then members To facilitate the collection of such amounts the Retirement Board may use the payroll reported for the last valuation as the basis for contributions for a twelve month period

And said bill having been read at length the third time, and agreed to.

On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL NO. 1147 CALLED FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar, on page 9, House Bill No. 1137, for consideration at this time.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1137, on third reading, entitled:

An Act to further amend the act, approved the twenty-sixth day of May, one thousand nine hundred thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," further defining the membership of credit Unions and permitting loans to other credit unions.

be recommitted to the Committee on Banking.

Mr. WADE. Mr. President, I second the motion. The motion was agreed to.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 57, on second reading, entitled:

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 100, on second reading, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of the boards, commissions and authorities created by or operating as agencies of political subdivisions at which ordinances, resolutions, rules, regulations and other actions are adopted to be open to the public; permitting the holding of executive sessions

from which the public is excluded but prohibiting the adoption of ordinances, resolutions, rules, and regulations at such sessions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 215, entitled:

An Act to further amend paragraph six of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," including within the definition of State employee, employees of the Pennsylvania Turnpike Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employees available in the labor market

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 233, on second reading, entitled:

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employees; creating a Division of Conciliation in the Department of Labor and Industry; defining its powers and duties; providing procedures for collective bargaining, conciliation and arbitration; providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest; limiting right to strikes and lockouts; providing procedures for taking a secret ballot before a strike is instituted; providing for the determination of jurisdictional disputes; establishing financial responsibility of labor organizations, and their liability for suits for breach of contract.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to

organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 562, entitled:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April, nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of

property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 586, on second reading, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520) entitled "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or the having in possession with intent to sell, of adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 600, entitled:

An Act to amend section three hundred six point one of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by further regulating the payment in second injury cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on second reading, entitled:

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community prop-

erty to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering city councils by ordinance to define and penalize disorderly conduct

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 631, entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 645, on second reading, entitled:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and

creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in the sinking fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 676, on second reading, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and

inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 832, entitled:

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1008, on second reading, entitled

An Act to add article XXX-A to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," empowering boards of township commissioners to establish land subdivision regulations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1066, on second reading, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs town townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE BILL NO. 285 CALLED FROM POSTPONED CALENDAR

Mr. HARE. Mr. President, on page 23 of today's Second Reading Postponed Calendar, I call up for consideration at this time House Bill No. 285.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 285, entitled:

An Act to further amend section seven of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled, as amended, "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstances of fires and the inspection of all, and the removal or change of, certain buildings by owners and occupants thereof, including political subdivisions; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania State Police, and the enforcement of its orders; and prescribing penalties," by further imposing duties on certain school authorities.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HARE offered the following amendments:

Amend sec. 1 (Sec. 7), page 4, line 15, by inserting a bracket before the word "and"; Amend sec. 1, (Sec. 7), page 4, line 16, by striking out the brackets before and after the word "some"; Amend sec. 1 (Sec. 7), page 4, line 18, by inserting a bracket after the word "year".

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HARE. Mr. President, I ask unanimous consent that House Bill No. 285, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL NO. 230 CALLED UP

Mr. KEPHART. Mr. President, on page 11 of the Calendar, I call up Senate Bill No. 230, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 230, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers

and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market

The first and second sections were read and agreed to.
The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend sec. 3 (Sec. 6), page 8, by inserting at the end of line 8 the following words: "other than reasonable apprenticeship"; Amend sec. 3 (Sec. 6), page 8, by inserting after line 12, the following: "(i) To operate or conduct "hiring halls" or other employment or placement services to coerce, intimidate or direct employers to employ persons recommended or approved by such labor organizations, or to otherwise interfere with the employer's right to employ persons of his own choosing".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendments:

Amend title, page 2, last line on page 2, by inserting after the word "to" and before the word "persons" the word: "certain"; Amend title, page 3, line 2 from top of page, by striking out the word "or"; Amend title, page 3, last line of title, by inserting after the word "market" the following: "to operate or conduct employment or placement services or to interfere with the employer's right to hire persons of his own choosing".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous con-

sent that Senate Bill No. 230, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 19, entitled:

An Act to amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the high-

ways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organization

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 24, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 25, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 56, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the appointment of assistant county superintendents.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 166, entitled:

An Act to amend section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing additional temporary salary increases, and the appropriation, use and temporary loans therefor; and validating such increases heretofore made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two, and section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover; providing penalties, and making an appropriation;" providing a uniform method of condemnation and payment of damages in boroughs and cities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 272, entitled:

An Act to further amend section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," increasing the period before

which temporary professional employes may become professional employes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 336, entitled:

An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further changing the provisions of the act relating to the titling of commercial motor vehicles.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 359, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison;" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by further defining the terms "pharmacy;" and further regulating the registration of certain persons defining the term "pharmacy", and further regulating the registration of certain persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 376, entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power

to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 428, entitled:

An Act to amend sections two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107), entitled "An act providing for construction, erection and maintenance of roadside rests adjacent to State highways routes; providing for the acquisition of interests in land by gift, purchase or condemnation; granting powers to, and imposing duties upon, the Department of Highways, the Secretary of Highways, the Governor and the Department of Property and Supplies; authorizing rules and regulations; and providing penalties for violation thereof; and making an appropriation," by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 439, entitled:

An Act to amend Sub-section (b) of section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments providing for refunds; imposing penalties; and making an appropriation," and providing a uniform ratio for distribution of the unencumbered balance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 461, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by allowing State airports to be leased for periods not to exceed five years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 465, entitled:

An Act to add section five hundred twenty-six to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officer and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the purchase maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission for official use and for the payment of charges therefor into the Motor License Fund and appropriating the same to the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over, by the Secretary of Highways with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction, reconstruction and maintenance at the expense of the Commonwealth, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 490, entitled:

An Act to further amend clause (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles, tractors street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; im-

posing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by increasing the total maximum length of motor buses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three, clauses (b) and (e) of section eight hundred fourteen, sections one thousand four hundred four and one thousand four hundred six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating plans to merge and the merger of school districts, transportation and routes and contracts pertaining thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 546, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals the record of magistrates and the disposition of certain fines and penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 548, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 555, entitled:

An Act to add section one thousand two hundred sixty-four to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto," by requiring the Secretary of Highways to file copies of plans for highway purposes, and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located; and requiring recorders of deeds to maintain books and indices for such purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds

by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the furnishing of free transportation or board and lodging in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to

make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair or township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways, and providing for the construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 626, entitled:

An Act to amend Section 511 of the act approved the first day of June, one thousand nine hundred forty-five (P. L. 1242), entitled "An act relating to roads, streets, highways and bridges; amending, revising, consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the employment of supervising principals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the

powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," temporarily extending the suspension of the provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 707, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 727, entitled:

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor

vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," regulating issuance of a duplicate certificate of title.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 754, entitled:

An Act to further amend sections three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, and three hundred twenty-four, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by changing the amount of contributions to the employees' retirement fund and the retirement age of new employees; extending the power of the retirement board in investing the money of the retirement fund; decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled; refund of contributions; authorizing counties of the second class and county institution district to make additional appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by permitting additional or increased appropriations by first class school districts in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day

of May, one thousand nine hundred twenty-one (P. L. 869), entitled "An act providing for the organization, government, discipline, maintenance, and regulation of the armed forces of this Commonwealth," changing the basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1109, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1178, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for reconstruction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 346, entitled:

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee.

House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regulation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, May 15, 1947, at 11:00 o'clock, a. m., Eastern Standard Time.

Mr. DONLAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:02 o'clock, p. m., Eastern Standard Time until Thursday, May 15, 1947, at 11:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 14, 1947

The House met at 12:00 o'clock noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Rev. John Koval, Pastor of St. Mary's Greek-Rite Catholic Church, Hazleton, guest of Hon. John J. Mikula, offered the following prayer:

Lord of Infinite goodness, mercy and kindness, who regardest the prayers of the humble, despise not our petitions, but lend a willing ear to us, Thy unworthy

servants, who bow our heads, our hearts and our minds in reverence to Thee, the one true God of our nation, the Guide of our people, the ultimate Judge of our actions, the principal cause of our temporal and eternal bliss.

We pray Thee, God of Light and Strength, to bless and assist with Thy holy spirit of counsel and fortitude our President, our Governor, the Speaker and every Member of the House of Representatives. Guide the deliberations of this making body so that the greatest good may be accomplished for the people of our beloved Commonwealth.

Lastly we beg Thee, to move our will to conform to the dictates of our enlightened reason, and that with Thy constant aid we exercise those faculties of our soul sublime to Thy greater glory, to the welfare of mankind, and to our own happiness, here and hereafter. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, May 13, 1947.

The Clerk proceeded to read the Journal of Tuesday, May 13, 1947, when, on motion of Mr. CLARENCE E. MOORE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 564.

An Act to amend subsection (f) of section eighteen of the act approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 565.

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries. and their enroll-

ment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 566.

An Act to amend subsection (f) of section nineteen of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," providing for a space wherein elector shall affix his signature or mark on registration card.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 567.

An Act to amend subsection (f) of section nineteen of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as member of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees, of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 568.

An Act to amend section twenty point one of the act approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," providing for a space wherein elector shall affix his signature or mark on registration card.

Referred to the Committee on Elections and Apportionment.

SENATE BILL No. 638.

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train"

Referred to the Committee on State Government.

SENATE BILL No. 659.

An Act to amend section one hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" by defining "municipality authority" or "municipal authority"

Referred to the Committee on Judiciary.

SENATE BILL No. 664.

An Act to further amend Rule 12 and to amend Rule 13 of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring the making of a report of the daily examinations made by the mine foreman or his assistant of the working places while the workmen of such places are or should be at work and the countersigning of such report by the mines foreman.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 665.

A Supplement to the act approved the seventh day of August one thousand nine hundred forty-one (P. L. 887) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and th

Department of Welfare to acquire certain land adjacent to and for the use of the Scranton State Hospital providing for the improvement and use thereof authorizing the City of Scranton to pay the costs of such improvements in whole or in part and making an appropriation" making an appropriation to the Department of Property and Supplies for the payment of the costs of acquiring certain property and the improvement and beautification thereof

Referred to the Committee on Appropriations.

SENATE BILL No. 710.

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

Referred to the Committee on Insurance.

SENATE BILL No. 714.

An Act to further amend section seven of the act approved the eleventh day of May, one thousand nine hundred five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," by changing the name of the Thaddeus Stevens Industrial and Reform School of Pennsylvania to "Thaddeus Stevens Trade School."

Referred to the Committee on State Government.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. FLEMING for himself for tomorrow's session.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 346.

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee.

HOUSE BILL No. 438.

An Act to further amend section three of, and add section four to the act, approved the twenty-fourth day of May, one thousand eight hundred ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor, and regulating and providing for the regu-

lation of the same," deleting provisions relating to termination of right to participate in the fund and regulation thereof; and providing that compensation or pension is not to be subject to attachment, execution, assignment or transfer and payable only to beneficiary designated, in person.

HOUSE BILL No. 865.

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

With the information that the Senate has passed the same without amendment.

CONCURRENCE IN HOUSE RESOLUTION No. 20

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, March 11, 1947.

Whereas, The health of the People of Pennsylvania is of primary concern to the Commonwealth; that the disease of alcoholism affects a substantial portion of its citizens; that there is evidence that the scientific treatment of alcoholics has resulted in their rehabilitation; and that there are inadequate public and private facilities for the treatment of alcoholics in Pennsylvania; therefore be it

Resolved, (if the Senate concurs), That the Joint State Government Commission of the Commonwealth of Pennsylvania is hereby directed to make a complete investigation and study of the problems relating to the physiological psychological, psychiatric, economic and social effects of alcoholism and the treatment and rehabilitation of persons so addicted. The Commission shall gather and compile all pertinent data including clinical experience observed and noted by existing national, State and civic bodies; and non-governmental, private and non-profit institutions and agencies; shall collaborate with Commissions of other states, and shall make a report of its findings and recommendations, especially as to institutional facilities needed to the General Assembly at its next regular session in the year one thousand nine hundred forty-nine. The Commission shall have the power to outline and report on methods for the dissemination of information to the public concerning the nature of alcoholism and the benefits arising from the scientific treatment of alcoholics.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 26, 253, 358, 545, 637, 674 and 675.

Resolution for Concurrence.

REPORTS FROM COMMITTEES

Mr. HEWITT from the Committee on Appropriations, reported as amended, House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Re-

sources Board in continuing the work of correcting existing, and preventing future silting of the Schuylkill River above Norristown.

Mr. LAYER from the Committee on State Government, reported as amended, House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making an appropriation.

Mr. STONIER from the Committee on State Government, reported as amended, House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War II temporary emergency housing accommodations; empowering them to acquire by purchase, gift, or eminent domain certain dwelling and other structures; providing for their organization and the exercise of their powers and duties including the borrowing of money, issuing bonds and other obligations, the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing.

Mr. BOWER from the Committee on Appropriations, reported as amended, House Bill No. 466, entitled:

An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of Aeronautics.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission.

Mr. GORMAN from the Committee on State Government, reported as committed, House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which state employees serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employees and original members so as to extend the cities, wards, boroughs, townships, institution districts benefits of the act to employees of institutions of counties, and other political subdivisions, acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor.

Mr. FROST from the Committee on State Government, reported as committed, House Bill No. 596, entitled:

An Act to further amend section two hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the execu-

tive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers, and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," increasing the maximum size of the State Police Force.

Mr. DAGUE from the Committee on Appropriations, reported as committed, House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

Mr. LOVETT from the Committee on Appropriations, reported as committed, House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities, townships and boroughs for payment to firemen's relief pension and retirement funds.

Mr. STIMMEL from the Committee on State Government, reported as committed, House Bill No. 795, entitled:

An Act to repeal the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 870), entitled "An act relating to appointments, reclassifications, and promotions made under any civil service system of this Commonwealth after the effective date of this act, until a period after the cessation of hostilities, making such appointments of war duration; providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States; suspending inconsistent laws; saving the right to return to former position and status; suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period; and conferring powers on the State Civil Service Commission."

Mr. O'NEILL from the Committee on Appropriations, reported as committed, House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

Mr. HOOPES from the Committee on State Government, reported as committed, House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the

several administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," further providing for the membership of the State Military Reservation Commission.

Mr. McKINNEY from the Committee on State Government, reported as committed, House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section five hundred nineteen, and section one thousand seven hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including unscheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties.

Mr. BANE from the Committee on State Government, reported as amended, House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections; defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing remedies for violations hereof, and imposing penalties.

Mr. STANK from the Committee on Appropriations, reported as committed, House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

Mr. TOOMEY from the Committee on State Government, reported as committed, House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned

institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Mr. YESTER from the Committee on Appropriations, reported as amended, House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

Mr. O'CONNOR from the Committee on State Government, reported as committed, House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain department, boards and commissions shall be determined," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-seven.

Mr. GOODLING from the Committee on State Government, reported as committed, Senate Bill No. 314, entitled:

An Act to further amend section seven of the act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government

in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas and providing for the installation of flood forecasting and warning systems.

Mr. GOODLING from the Committee on State Government, reported as committed, Senate Bill No. 316, entitled:

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications, to construct and maintain dams, reservoirs, lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas; to acquire by purchase, condemnation or otherwise certain lands for such purposes; to construct and maintain flood forecasting and warning systems.

Mr. HOOPES from the Committee on State Government, reported as committed, House Resolution No. 15.

ALLENTOWN QUOTA CLUB WELCOMED

The SPEAKER. The Chair is very pleased to have as guests at this afternoon's session members of the Quota Club of Allentown under the direction of their president, Mrs. Virginia Valencik.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is also pleased to have a former member of the House from York County present, the Honorable Raymond Shettle.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 346.

An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee.

HOUSE BILL No. 438.

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person.

HOUSE BILL No. 865.

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary

and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

SENATE BILL No. 47.

An Act to amend Section 8 of the act approved the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery, farm equipment and crops grown, growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment, release, satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" by making further provision respecting the filing of chattel mortgages in prothonotaries' offices.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 662 and 785 AND HOUSE RESOLUTION No. 43.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 662, Printer's No. 541, entitled "An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended 'An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties' as previously reenacted and amended by increasing the rate of tax by reducing the rate of commission for affixing stamps and by extending the provisions of the act for a further limited period of time."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 785, Printer's No. 542, entitled "An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administra-

ive work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' by creating the Public Service Institute Board in the Department of Public Instruction and defining its powers and duties."

JAMES H. DUFF

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution No. 43, Printer's No. 413, directing the Department of Property and Supplies to establish and maintain a first-aid room in the Main Capitol Building and providing that during sessions of the General Assembly the services of a registered nurse shall be in daily attendance.

JAMES H. DUFF

The SPEAKER. The Chair requests the gentleman from Potter, Mr. Hall, to preside during the first reading calendar.

Mr. HALL IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes to provide the time of paying the same and to repeal all acts inconsistent herewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 601, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and adsectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 643, entitled:

An Act to amend sections four hundred two four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by increasing the fee for non-resident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers and changing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring periodic revisions of standards of the State Council of Education with reference to school buildings providing for advisory committees in connection therewith and making the type of heating and ventilating systems optional with boards of school directors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1332, entitled:

An Act to establish in cities of the first class a house of detention for delinquent dependent and neglected children up to eighteen years of age and providing for the management and the maintenance thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 338, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 356, entitled:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act ap-

proved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Potter, Mr. Hall, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 982, entitled:

An Act to amend section one of the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51) entitled "An act defining and regulating the practice of chiropody and providing penalties by further defining chiropody

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. LAUGHNER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1039, entitled:

An Act authorizing and directing the Delaware River Joint Commission to formulate a specific program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1100, entitled:

An Act directing the county commissioners of each county to prepare, certify, and deliver to the Department of Public Instruction at stated intervals a certified list of all real estate conveyances or transfers within such county stating the value of Federal tax stamps affixed to the deed for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Public Instruction for such lists and making an appropriation.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BRUNNER offered the following amendments:

Amend Sec. 1, page 2, line 2, by inserting after the word "county" the following: "(except counties of the first class)."

Amend Sec. 1, page 2, line 11, by inserting after the word "county" the following: "(except counties of the first class)."

They were agreed to.

The section was agreed to as amended.

The second, third and fourth sections were separately read and agreed to.

The title was read.

On the question.

Will the House agree to the title?

Mr. BRUNNER offered the following amendment:

Amend Title, page 1, line 1 of title, by inserting after the word "county" where it appears the second time, the following: "(except counties of the first class)."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1170, entitled:

An Act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages, and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships; for the abatement of certain nuisances, and in certain cases for search and seizure without warrant; prescribing penalties and forfeitures; and repealing existing laws.

The first, second and third articles were separately read and agreed to.

The fourth article was read.

On the question,

Will the House agree to the article?

Messrs. TURNER, FOOR and CAPANO offered amendments to Article 4.

Mr. TURNER. Mr. Speaker, first, may I ask whether I can have a copy of the amendments offered by the gentleman from Washington, Mr. Capano? May I also ask whether I can have a copy of the amendments offered by the gentleman from Bedford, Mr. Foor?

Mr. ANDREWS. Mr. Speaker, would it be possible to have each one of the sponsors of amendments state just exactly what purpose he had in mind so that we can vote intelligently on the program as a whole? The gentleman from Delaware has proposed one program, which if adopted would automatically drop some of the other programs, so if we can have a statement by the sponsors of the different amendments as to what they had in mind to do we could vote more intelligently on the amendments as they come up.

The SPEAKER. Without objection the Chair will proceed in that way. We will take the amendments in the order in which they were offered and recognize the gentleman who offered the amendments in that order, so that each may have an opportunity to explain for the record the purpose of the amendments he has offered. The Chair hears no objection and we will proceed in that manner.

The Chair might state to the gentleman from Bedford, Mr. Foor, that he will be recognized immediately for such statement as he may have to make after the gentleman from Delaware has concluded.

Mr. TURNER. Mr. Speaker, I would ask the indulgence of the House to wander for a moment away from the question as to the amendments offered by myself to Section 461, in order that I might explain what I think most of the Members of the House have already heard, that Bill No. 1170, which is now before the House, was the result of a resolution offered in the 1945 session to codify the liquor laws of the Commonwealth of Pennsylvania, which were passed from 1932 on through almost every session, and also to encompass a lot of obsolete laws on the statute books that should be repealed because of the provisions of the regular laws.

As a result of the codification work carried on by the Reference Bureau, House Bill 1170 was introduced with seven changes in the law as it existed. Each one of you Members has received, or should have received in your mail box a statement by Mr. Hannestatt or by Mr. Glidden, the Assistant Director of the Legislative Reference Bureau, as to the work done in reference to House Bill 1170 and listing the seven changes which appear in House Bill 1170, also listing the number of repeal and the reasons therefor, and a final certification by Mr. Glidden in which he says that "with the exceptions noted above the draftsman certified that in his opinion the bill contains a correct statement of the existing laws after obsolete and inconsistent matter has been eliminated."

Therefore, the bill as it stands, although there seems to have been a great deal of misunderstanding among the parties in interest, is exactly the law as it exists today with the exception of the seven changes noted in these comments made by Mr. Glidden.

I am not going to take the time of the House to read those seven exceptions because I think that all the Members of the House are familiar with them.

The most controversial change, and the one that seems to be the only controversial change for the moment is that which takes the clubs out of the quota. As you all know, when the quota law was passed in 1939 it was the intention of the Legislature at that time to exclude the clubs from the quota. In the drafting of the final amendments to the bill during the tailend of that session, I think in almost the closing hours, through inadvertance the provisions were written with such ambiguity that it was ruled by the Liquor Control Board that clubs were within the quota of one license for each one thousand of population according to the last census as filed, and a club could not get a license.

As a result, however, in this state there has come about an unendurable situation. In some twenty-eight counties the judges have ruled that the clubs are not within the quota. In some twenty-five counties of the state the judges have ruled that the clubs are within the quota. There being no appeal to the higher court, which is one of the exceptions in our law of presenting an appeal, there has still remained in the State of Pennsylvania, in spite of the fact that we are supposed to have one liquor system and one set of liquor laws, two sets of liquor laws, depending on the county in which you reside.

It was therefore determined by the Liquor Control Committee that there should be added to the bill, House Bill 1170 as it was introduced in this House—the bill did not contain any provision for taking the clubs out of the quota, as we call it,—the Committee felt that the club provision, taking the clubs out of the quota, should be settled once and for all, and that it should be made a part of House Bill 1170. There has therefore arisen as I have said, a great controversy in this House as to whether clubs should be within or without, whether this bill should be passed as it now stands or whether this bill should be amended in some way to put it back in the form in which it was introduced, or the form in which at least it went to the Committee on Liquor Control.

The opponents of the provision for taking the clubs out of the quota are the dry interests in Pennsylvania whose opposition I can readily understand, and retail licensees in Pennsylvania who do not want any increase in the number of clubs in Pennsylvania. So far as I can ascertain—and there has been a great deal of lobbying on this bill—proper lobbying—I don't complain about it, during the session, those two interests have lined up against the provision taking the clubs out of the quota. Therefore in the spirit, Mr. Speaker, of compromise, I have offered an amendment which says in effect that we will take the clubs out of the quota for eighteen months. In other words the effective date of this act will be September 1, and beginning on September 1st we will take the clubs out of the quota for a period of eighteen months, which would carry it into March or the spring of the year 1949 when this Legislature will be in session, and when it will have an opportunity to determine for itself whether this has been a wrong or a proper move.

I might say again, if you will indulge me in wandering from the direct question of the amendments, my interest in this matter has been entirely in the service clubs, and when I speak of service clubs I mean those clubs organized by veterans of the different wars and the different

veteran organizations that have risen from this war. I have been interested in that group because I have found not only from my own personal knowledge, but from the letters and telegrams that have poured into my office during this session, that those groups feel that they are being discriminated against and that they are being deprived of an opportunity to secure licenses for their headquarters and for their posts, to which others have been entitled and for which certain counties are willing to give a license.

But in drafting this legislation, if I could have written this legislation for the service men alone, I would have been glad to do so, but we studied that question long before this session over in the Reference Bureau, and came to the conclusion that, if we included not only the service clubs but clubs or organizations of National standing, and all the beneficial fraternal organizations of national standing, if we included them in the group it would still be class legislation and therefore unconstitutional.

Therefore, Mr. Speaker, I say again that the purpose and intent of the amendments which I am offering here today is in the spirit of compromise and because I feel that if we can open this for eighteen months, those new service organizations and new veterans' organizations who are now deprived from securing a license for their homes, not only in counties where there are other organizations, but I know of many in counties where no posts exist, it will give them an opportunity to apply for a charter if they do not have one, within the next eighteen months, and to apply for and secure a license. That is the spirit of the amendment which I am offering.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TURNER. Did I understand the Speaker to say that he was going to give each sponsor of an amendment an opportunity to explain the amendment offered before we proceed to discuss or to vote upon the particular amendment?

The SPEAKER. That was the Chair's intention. He believes it would also carry out the thought expressed by the gentleman from Cambria, Mr. Andrews.

Mr. TURNER. I think, Mr. Speaker, that is a very intelligent way to approach this entire problem, and I certainly would yield the floor for that purpose, but I would like to have the privilege of having the floor when the other two gentlemen have explained their amendments.

The SPEAKER. The Chair will recognize the gentleman from Delaware at that time.

Mr. FOOR. Mr. Speaker, the amendment that I have offered does just one thing, and that is it leaves the clubs in the quota law as of today, and for the following reasons. For the information of the House I would like to quote these figures, the type and number of licenses that are already granted in this State:

Club licenses, Retail Liquor Licenses 3727; Retail Beer Licenses 328; making a total of 4055.

Hotels have liquor license to the amount of 2153;

beer licenses to the amount of 42, making a total of 2195.

Restaurants have retail liquor licenses to the amount of 12,518; retail beer licenses to the amount of 1677, making a total of 14,195, or a grand total in the State of 20,455, or on a ratio basis of one to 535 of population.

The population of Pennsylvania in 1940 was 9,900,180.

A comparison of the three states that are dealing with this same question, Michigan, Ohio and Pennsylvania: Michigan has a population of 5,471,774, and they have bars, hotels and clubs to the amount of 4,500, a ratio of 1 to 1,216.

Ohio has a population of 6,873,448, and they have licenses to the amount of 6,645, a ratio of 1 to 1,034.

Pennsylvania has a population at this time of 9,193,957, and they have bars, hotels and clubs to the amount of 17,014, a ratio of 1 to 540.

Mr. Speaker, Pennsylvania now has more than twice as many licensed clubs as any other state in the union. If we throw the State wide open for any kind of club licenses, we will soon have clubs in every city ward, along the highways and in hunting camps. If we open the way for an unlimited number of clubs, we make a farce of the quota law.

Veterans clubs are not without recourse. In every municipality licenses can be purchased and transferred.

If the liquor interests continue to open new licensed places in defiance of public opinion they will have only themselves to blame if an aroused public finds some way to get rid of all licenses.

Mr. Speaker, I would like a roll call on my amendment when the time comes.

The SPEAKER. The Chair, in accordance with the understanding, now recognizes the gentleman from Washington, Mr. Capano.

Mr. CAPANO. Mr. Speaker, the purpose of my amendment is to strike out section 461 which deals with the quota law. In other words to make it open to any one to engage in business. I believe that the present law is unfair, unjust and discriminatory, especially on our veterans today who seek that field of business. They should have equal opportunity to go into the business if they so desire. Today they are being robbed outrightly by the exorbitant prices that are being charged for licenses. I think it is about time that it be put to a stop and give them the same opportunity especially since they didn't have that opportunity because they were not home or were not old enough or did not have the finances to do so before. I think today we should give them an opportunity to go into the business the same as any one else.

Mr. TURNER. Mr. Speaker, to sum up the situation as to the amendments which have been offered to section 461, the gentleman from Washington, Mr. Capano, would wipe out the quota entirely. The gentleman from Bedford would put the law back in its present confused state.

I don't believe that that is a fair and proper position to take. We ought to face this question here, we ought to have one law and it seems to me that those who are interested from the dry standpoint should be the first

ones to come here, and if they want to put the clubs in the quota, let us put them in the quota, but let us not put it back to the confusion that exists, if we can help it. I certainly do not believe that they ought to do away with the quota entirely as matters now stand, without further study.

Mr. Speaker, as I presented the first amendments I therefore ask that that question be submitted to the House.

Mr. ANDREWS. Mr. Speaker, the Democratic members of the House have not caucused upon these amendments and therefore there is no party position. My vote on the roll call will not indicate a party position or in any way represent an obligation as to the other Members of the Minority party group.

We are dealing with an illogical situation, and you cannot solve it on any logical basis. The evils incident to the liquor traffic are inherent in the traffic. It is incompatible with sound practice that we should deny to the veterans of World War II the privileges that the Commonwealth extended to veterans of World War I. It is inconsistent with sound practice and it will be ultimately destructive of the clubs themselves if we open the doors wide to clubs of all kinds.

If we were facing a purely personal feeling, if I were allowing my personal temper to influence my vote, the character of the telegrams with which the clubs have deluged the Members of this House, the truculent manner in which the clubs have spoken, the insolent tone of their communications would lead me to vote against all clubs, because I do not relish a club in the hands of a club any more than I relish a club in the hands of any other special interest.

I say that we have an illogical situation. I believe that in the main the Judges of the Commonwealth have exercised a sort of rule of thumb local option. I believe that by and large the Judges who have said clubs are in the quota have reflected the opinion in their county, and the Judges who say they are out of the quota have reflected the opinion of their counties.

Now, I am in the position of coming from a county where the Judges say the clubs are out of the quota, and as far as the present law is concerned in my county we will have no difficulties as far as the club quota is concerned, as far as Cambria County is concerned.

I repeat that I have not relished the communications from the clubs that have attempted to dictate a statewide policy, and therefore I personally am taking a stand for permitting the quota law to stand "as is," with the judges' in the various counties interpreting the law and leaving the way open for an appeal to the Superior Court, which will throw this question back in the lap of this House.

Mr. VAUGHAN. Mr. Speaker, I rise to speak on this amendment, House Bill 1170, not only as a representative of this House, but as a veteran of the last war, and a member of a veteran organization.

On this Monday last I was visited by a chosen delegation from the joint legislative committees of all of the veterans organizations in this great commonwealth. I refer, to the American Legion, the Veterans of Foreign Wars, the AMVETS, the Disabled American Veterans, the Military Order of the Purple Heart, the Marine Corps

League, the Catholic War Veterans and the Jewish War Veterans, and was asked to throw my unqualified support to the provisions of this bill that exempts clubs from the liquor license quota. As many of my fellow representatives know, I was previously for the removal of clubs from the liquor license quota, since I felt such a provision, if any exists in our present laws, was an infringement on the rights of the citizens of our commonwealth. After discussing this matter with the representatives of the veterans organizations, I have been imbued with the spirit of their message and I ask the privilege and indulgence of this body in bringing their message to you.

To begin with, the amendment is needed to clearly remove clubs from the quota provisions of the liquor control act. It is necessary to correct this multiple interpretation of our present laws and in order to provide uniformity throughout this great commonwealth, in which the courts of 22 counties hold that clubs are not within the quota, and 32 counties hold that they are. The 13 remaining counties make no decision either way. This condition must be corrected in order to preserve the dignity of the courts of this commonwealth, if many other reasons did not exist to justify this course, this one alone would suffice.

At the time the quota act was interpreted to include clubs there was no thought of another war and of new veterans organizations, and of the new posts throughout Pennsylvania of the older veterans organizations, who would want to form their own post clubs.

Among the very first of the first ten amendments to the Constitution of the United States as written by the founding fathers were the provisions to guarantee the right of free assembly for lawful purposes. The refusal of the right to have, maintain, and have the means of maintaining meeting places for lawful purposes would be, in effect, a refusal of the right to meet and congregate for lawful purposes.

There has rarely been a bill so unanimously endorsed and so unanimously needed to allow the healthy growth of veterans organizations as a bill to exclude clubs from the quota. The veterans organizations do not like to have to endorse or work for any liquor bill, but this is a question of whether the veterans shall survive or whether we shall strangle the veterans.

When the liquor law passed, the principle concern of the Legislature was to permit the people to conveniently buy drinks. There was no profit angle, there was to be no open saloon. No one was to earn his living exclusively from the sale of liquor. In determining how drinks should be distributed to the people the Legislature among other things, created club licenses because they knew that people desired to drink with their own friends or within their own business or fraternal circles. This was purely a social arrangement, and not an economic arrangement by any means; it being intended that no one other than the club itself should benefit by any possible profit that might be derived from the sale of liquor in these clubs. Most of the members of this House that were here in 1939 when the original quota act was passed know that it was the intent of the Legislature of Pennsylvania to exclude clubs from the quota, because the theory of clubs still is that they are a private

social group and not in the same category as other licensees, where profit is the principal and in most cases the only motive for the sale of liquor or beer.

There have been more red herrings thrown out on this floor, in the corridors and cloak rooms, more vicious lies and slander about this bill, as you, my fellow representatives, can testify, than there has been about any bill that has reached the floor in this session.

I don't know what fool there is who thinks that we are so stupid to fall for every bit of leg pulling that has been tried on this bill, but we have been told that this bill will put distributors under the quota, although the person disseminating this rumor should know (even without legal training) that with only good common sense a reading of this bill will indicate and show that it does not affect distributors licenses in any manner whatsoever. The practical effect of this legislation is to re-enact the present liquor control act as it applies to distributors. Further, any one who reads Section 461, which is the only section in this act dealing with quotas on liquor licenses will see at a glance that it is the same as the presently existing legislation except that it adds to hotels the words, "and clubs," to take clubs out of liquor quota law, and does not add any licenses to the quota that are not now in the quota.

Opposed to the veterans organizations are the liquor dealers, the dry's, the anti-veteran communist group, who are determined that veterans posts shall not have licenses, although for entirely different purposes, and with entirely different motives concerning which I would like to touch on briefly but vividly. The liquor dealers who have piled up a mountain of greenbacks during this war on the sale of liquor to war workers and to soldiers and sailors on a brief liberty spree, attempting to relax from their war cares and duties, are determined now that they will continue to profit on the same soldiers and sailors by so continuing the law, that these men, now ex-soldiers and sailors, who wish to have a drink with their fellow buddies would be forced to buy their liquor from the retail liquor dealers rather than to engage in any drinking that they might do in the more restrained and social atmosphere of their own veterans organizations.

As for the dries, odd partners in this alliance, with the liquor dealers, little need be said. They are opposed to the use of liquor in any manner, including medicinal, and they are the founders and framers of that foolish "Great Experiment" under which our country suffered for fifteen years, the only amendment to the Constitution of the United States that was ever repealed, and which proved itself to be, then and now, entirely unworkable and impractical. We need no 18th amendment in Pennsylvania.

And lastly, the third partner of this alliance, and I refer without any fear of rebuttal, to the communists and their fellow travelers, who have failed to establish their own veterans organization and are unalterably opposed to other veterans organizations, since they know that these veterans organizations have as their prime purpose the building of Americanism, which carries with it the eradication of communism in these United States; and to give the devil his due, this time, since in this measure they desire to be successful, the communists have been more adroit than usual and have sought to

utilize their strength where it would be most effective by throwing their weight through the Retail Liquor Dealers Association, who, since I wish to give them the benefit of the doubt, may not even suspect that a great part of their support is coming from that direction.

It has been a very rare experience indeed for the members of this House to have received a telegram, as very member of this House did last week, in which practically all of the great veterans organizations, the American Veterans of World War II, the Veterans of Foreign Wars of the United States, the disabled American Veterans, the Military Order of the Purple Heart, the Marine Corps League and the Jewish War Veterans, all joined in endorsing this bill, and since that date, in fact on May 12, the representatives of these same organizations, together with the representatives of the American Legion and the Catholic War Veterans, again reiterated their support of House Bill 1170, Printer's No. 536, as it now stands.

The question, Mr. Speaker, is very clear. A vote for this bill as it now stands is a vote of confidence in the ability of the veterans to conduct proper clubs, clubs that will be a bulwark against communism.

A vote against this bill, gentlemen, is a vote for the unholy alliance of greed, as represented by the Liquor Dealers Association, of intolerance as represented by the dry's, and of ignorance and oblivion as represented by the communists.

Mr. TURNER. Mr. Speaker, may I ask in putting the question that you state the question clearly to the members of the House.

The SPEAKER. For the information of the gentleman the amendments have not yet been read for the information of the House.

Mr. ANDREWS. Mr. Speaker, I want to be certain that I have correctly understood the import of the amendments offered by the gentleman from Bedford.

Would his amendments leave the quota law as it is now or would it definitely, finally and irrevocably place the clubs within the quota and leave the Judges in the various counties without any further jurisdiction in the matter?

The SPEAKER. Does the gentleman from Cambria wish to interrogate the gentleman from Bedford?

Mr. ANDREWS. I would like, Mr. Speaker, an answer as to the import of the amendment.

Mr. FOOR. Mr. Speaker, it definitely leaves the quota law where it is as of today.

Mr. STUART. Mr. Speaker, permit me to say that I have listened with a great deal of interest to the discussion of the veterans in this connection. I would like to leave this impression with the House, that the main interest of the veterans, and I speak as a veteran, is not to engage in the liquor business. I know that many of the posts and veteran organizations are interested and I believe they are just as evenly divided in this matter as we are. Many of them do not want to engage in the liquor business while others do, and I believe that the veterans' position in this thing has been over-emphasized by those who wish to exclude the clubs from the quota.

MOTION TO RECOMMIT

Mr. HEWITT. Mr. Speaker, since three different per-

sons introduced amendments to this bill, none of which seem to agree with each other, it seems that the sensible thing to do is to refer the bill back to the committee that it came from and give us all a chance to study this matter, and I therefore make that motion.

The SPEAKER. The Chair might state to the gentleman from Indiana that he will be glad to entertain such a motion after the amendments are disposed of, but the Chair is under a commitment that he would hear the arguments of the three gentlemen who are presenting amendments to the bill. The Chair is of the opinion that these amendments should be disposed of. After that the Chair will entertain a motion to recommit if the gentleman desires to make it.

Mr. READINGER. Mr. Speaker, I do not want to prolong the debate on the amendments, but I do want to say a word in favor of Mr. Turner's amendments and against Mr. Foor's.

I am opposed to all limitation to either clubs or other licensees. I think that the liquor traffic can be properly controlled by the Liquor Control Board. It has the personnel and the funds available to properly enforce the law. I think the law of economics should be allowed to determine the number of licenses that we may have in the State of Pennsylvania. But we have this problem here today, and I think we should face it.

In 1939 when the limitation law was passed, most of the Members, including myself, thought that the clubs were excluded from the quota law. Since that time we have found that the courts of the various counties cannot agree, and we have a chaotic condition in Pennsylvania.

Had we passed House Bill 1170 as it was originally introduced, allowing an appeal to the Superior Court in all cases, the question would finally have been decided one way or the other.

However, in doing that we would in effect be saying to the Superior Court "You tell us whether the clubs are within or without the quota law" and that I submit is not the way to proceed. A good many of the counties exclude clubs from the quota, and Mr. Turner's amendment today, as I understand, would limit the operation of such exclusion to a period of eighteen months in order to take care of a very pressing problem involving the veterans' organizations. For that reason I am in favor of this amendment, but we should decide the matter ourselves, and we should not duck it and say to the Superior Court "You legislate for Pennsylvania; we are afraid to do it." I don't know why anybody should be afraid to stand up and be counted on the quota law, whether he wants clubs within or without the quota. Certainly the effect of such action would be a lack of courage in my opinion. I do not think it is well for the morale of the people of Pennsylvania to know that courts in one county say one thing and courts in another county say something else. I happen to be an attorney myself, and many people say "What's the matter with the courts? Why can't they agree?" They don't know the complexities, they don't know that laws can be honestly and intelligently interpreted two ways. I think we ought to end that situation today. If you are against the clubs being licensed and if you think there should be less

licensed clubs, let us end the quota, but do not let us straddle by saying "Let us leave the law the way it is today." It seems to me that we should not legislate liquor for any retailers or clubs or any other particular group. Retail licensees are opposing the exclusion of clubs from the quota. That is purely economic; they don't like the competition of the clubs, and if I were a retailer I would not like it either.

I think we should legislate for every different group and interest. Certainly there is nothing wrong with people getting together and forming an organization, a club. If they see fit to get together in their own club and drink, I think they should have the right to do so and I am going to vote in favor of the gentleman from Delaware, Mr. Turner's amendment, and against Mr. Poor's.

PARLIAMENTARY INQUIRY

Mr. HEWITT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Indiana will state it.

MOTION TO LAY ON TABLE

Mr. HEWITT. Mr. Speaker, would it be in order to move that this bill be laid on the table together with the amendments?

The SPEAKER. That is a proper parliamentary motion under the rules of the House. It is a question which the House itself must decide.

Mr. HEWITT. I make such a motion, Mr. Speaker.

The SPEAKER. This is not a debatable motion.

PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state it.

Mr. TURNER. Mr. Speaker, at the time this question first came up on the amendments, it was my understanding that it had been agreed that the three proponents were to have an opportunity to speak on their amendments, that then you would take up and consider each amendment in the order of its introduction, and at that time I told the Speaker that I would yield the floor on that understanding. Therefore, it would seem to me that any motion to table at the present time would not only be out of order because we have not had the amendments read, but in the second place it would be breaking faith with the understanding which I had at the time the amendments were presented.

The SPEAKER. The Chair might say to the gentleman from Delaware, Mr. Turner, that the motion to lay upon the table cannot be submitted to the House until after the amendments have been read.

MOTION TO LAY ON TABLE WITHDRAWN

Mr. HEWITT. Mr. Speaker, if I erred in my motion, I withdraw the motion until the amendments are read. That is the way I understand it.

The SPEAKER. The Chair might state that when requested by the gentleman from Cambria, Mr. Andrews, he would ask that unanimous consent be given, and if there was no objection, the amendments would be handled in the manner which we have seen here on the floor.

There was no objection at that time to giving opportunity to the three gentlemen to be heard, and then acting upon each amendment in the order in which it was presented to the House.

Mr. HEWITT. Mr. Speaker, in order to place you in the position in which you belong I am very glad to withdraw all opposition, as I have stated.

The SPEAKER. The Chair thanks the gentleman from Indiana.

Mr. KENT. Mr. Speaker, my understanding is the same as that of Mr. Turner in his discussion of these amendments, that the question of these amendments was open to the House and that they would then be read. I do not care to prolong argument too much. I think the Members of the House are all aware of the situation at hand. Certainly most of them, I am sure, have been thinking of it a good long time and have heard a great deal about it in the last few weeks. I would like to say a few words, however, in support of Mr. Turner's amendment.

I agree with Mr. Turner and Mr. Readinger that this is a problem that this Legislature should not duck in any way. It is a legislative problem that is for the Members of this House and for this Legislature to decide, and certainly it is not a question for the courts or any one else to decide. I, therefore, ask the Members of this House to give this bill and the amendments that have been offered their due consideration and vote on them accordingly.

We all know that the law as it now stands has created a ridiculous and unfair situation in the state. We have a state law which is not a uniform law throughout the state, and I believe, and sincerely believe that situation has worked terrific hardship on certain organizations which are denied the benefits and privileges which other comparable organizations enjoy. Even within one county itself we have clubs who have liquor licenses, and across the street or up the street from a club, which is comparable in purposes and ideals to that other club, the one will have a liquor license and the other have none. I submit to the House is that a fair proposition and a fair situation?

To carry the matter a step further, we have counties where bona fide legal clubs can obtain a club liquor license and in the bordering county clubs cannot have that same privilege.

I submit to this House, is that a fair proposition and a fair law? Certainly I say that it is not and it is a problem which this Legislature should take by the horns, so to speak, and settle once and for all. I am sure that all of the members of the clubs, with or without licenses, will have more respect for the Members of this House if we do so.

I think that possibly too much is being said about the veterans. I am a veteran myself, but I don't think anybody owes me a living. I think veterans' legislation has reached the saturation point, but as a veteran speaking more or less on their behalf on this situation, I do not believe and I do not feel that the veterans are asking for any special legislation whatsoever. They are only asking for what is fair, they are only asking that they may have the same privileges and enjoy the same benefits

as other like organizations enjoy right in their own communities, and right in their own state.

We have many veterans' organizations in this state which have cropped up almost since the close of World War I. All they want is to be put back on a parity, on an equal basis with other clubs in their own community and in the State so that they can perpetuate themselves and contribute to charitable organizations and programs in their communities which the other clubs do today and which certainly the veterans' clubs do in every State.

The only argument I have heard against excluding these clubs from the quota law is through fear that the thing will be abused, it will put temptation in front of the young veteran who is back from the wars, back in civilian life. I do not believe that. I would rather see the veteran and the young man in my community and in any other community spend his time in a well organized club under the influence and control of older members of that club than I would see him spend his time on Main Street in Joe's Flop House. That is my personal opinion and I am sure the clubs that I am familiar with, and many that you are familiar with, can give a much better environment and influence and will control the liquor traffic and the liquor situation in this Commonwealth to their credit and to our credit, if given a chance.

Mr. Speaker, my only objection to Mr. Foor's amendment is that it does nothing. It puts the law right where it is today. It evades the whole situation in the problem which I think is the predominant thing in the liquor laws today.

I urge this House to support the amendments as offered by the gentleman from Delaware, Mr. Turner, to House Bill 1170.

Mr. MILLER. Mr. Speaker, from the remarks of the gentleman from Delaware, Mr. Turner, and the gentleman from Berks, Mr. Readinger, it would appear that in the 1939 Session they were under the impression that the clubs were excluded, but since that time there have been three Sessions held and nothing has been done about it. I think that both of those gentlemen have been here during those Sessions.

It is certainly unfortunate that they are using the veterans as a smoke screen for this bill. I am positive that if the veterans, the majority of veterans had a right to vote or choose on the matter they would not be in favor of excluding clubs from the quota. Many clubs in my community have included in their by-laws a provision that no liquor or intoxicating drink will be served in their clubs, and they are getting along very nicely. I wonder whether the Members of this House realize that when they open up to let these club organizations operate in the next eighteen months, what it will mean to their community, to the tax-payers' money, and the cost of policing these organizations which we all know have to be policed. I am asking the Members of this House to vote "no" on Mr. Turner's amendment.

Mr. HEWITT. Mr. Speaker, in answer to the gentleman from Crawford, he left the House under the impression that all this has been discussed at length by the Members of the House. Of course the Republican Members talked this bill over yesterday at length, but these amendments were never suggested or mentioned during the conversation. My idea in making the motion I did was to give

us time, but I understand the motion was out of order. My thought was that it might give us more time to talk it over. The gentleman from Crawford left us under the impression that we had already discussed the matter.

Mr. TURNER. Will the Speaker have the amendments offered by myself read for the information of the House before putting the motion?

The SPEAKER. The Chair was about to do that, since the amendments had not been read up to this time.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I understand that among the lawyers there is still some difference of opinion as to the exact effect of the amendments proposed by the gentleman from Bedford. I would like to be very clear on that point because if the amendments proposed by the gentleman from Bedford do not leave the situation exactly as it is today, then I am for the amendments proposed by the gentleman from Delaware, but if the amendments proposed by the gentleman from Bedford do what he says they will do, I favor his amendments and I would like some of our eminent lawyers, and I know of no one more eminent than the gentleman from Delaware, to give us an opinion.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Cambria for his plug.

The SPEAKER. The Chair might say that he feels a little resentful at the gentleman's remarks. He has always prided himself on his own private counsel, who has given the benefit of his advice and counsel to the gentleman from Cambria.

Mr. ANDREWS. Mr. Speaker, I might say that I think the Speaker's counsel is still in doubt.

Mr. TURNER. Mr. Speaker, I understand the interrogation is ended, and I have therefore no need to answer that sixty-four dollar question. I will be glad to pay the fee to the gentleman from Cambria, however, for the complimentary remarks which go into the record and I hope no one expunges them. I will exhibit them to my clients. Does the gentleman from Cambria desire me to answer the question?

The SPEAKER. The Chair understands that he does.

Mr. ANDREWS. Mr. Speaker, I am very serious about the matter. As a layman I am unable to determine the question that apparently has baffled two very able lawyers, including yourself.

Mr. TURNER. Mr. Speaker, miracles will never cease. I never knew of a newspaper man who was unable to answer any question.

I might say in all seriousness in answer to the gentleman's question, that it is my understanding, and I am sorry I have not been able to discover him here, but I had asked Mr. Glidden of the Legislative Reference Bureau to be here on the sidelines so that he might be a lawyers' lawyer in the event such a question arose, but it is my understanding—pardon me, may I retire for a moment?

The SPEAKER. The Chair might remind the gentleman of the ruling made by the Chair yesterday on the question raised by the gentleman from Cambria, Mr. Andrews.

Mr. TURNER. Mr. Speaker, much as I hate to say it, because I am losing a vote, nevertheless my modesty—I was going to say innate honesty—requires me to answer the gentleman from Cambria that I have now definite confirmation of my own opinion from the appellate court, and the gentleman who codified the laws, who had the hand, the great hand, the major hand, the overwhelming hand in drafting this bill, who says that this amendment which takes out the words “and clubs” puts the law back into the same shape as it is today, without this bill or without the amendment.

I, therefore, trust the gentleman from Cambria in consideration of both the opinion I have given and my honesty in the matter will change his mind and vote “aye” on my amendments.

The Clerk read the amendments offered by Mr. Turner as follows:

Amend sec. 461, page 87, line 7, by inserting after the word “and” the following: “for an eighteen month period beginning with the effective date of this act, incorporated”.

Amend sec. 461, page 87, line 8, by inserting after the word “exceeded” the following: “Provided, however, That during said period of eighteen months following the effective date of this act, any club otherwise qualified, may be licensed at any time after its incorporation whether or not it shall have been in existence and operation for a period of one year”.

On the question,

Will the House agree to the amendments?

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Delaware will state it.

Mr. TURNER. Mr. Speaker, will the Chair explain to the House that a vote “aye” is a vote for the amendments just read and submitted by myself.

The SPEAKER. The Chair was just about to do that. Those voting “aye” vote for the amendments offered by the gentleman from Delaware, Mr. Turner. Those voting “no” vote against the amendments offered by the gentleman from Delaware, Mr. Turner.

Mr. READINGER. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. READINGER. I desire to ask the gentleman whether if a club is operated during the period of this eighteen months and makes an application for a club liquor license, his amendments would mean that it can be granted even though that organization has not been incorporated for one year?

Mr. TURNER. That is right, Mr. Speaker. That was to take care of the service clubs.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. The Chair is unable to decide.

Whereupon, a division was had, 106 Members voting in the affirmative and 45 in the negative, the question was determined in the affirmative, and the amendments were agreed to.

The SPEAKER. The Chair will now take up the amend-

ments offered by the gentleman from Bedford, Mr. Foor.

The amendments were read by the Clerk as follows:

Amend Sec. 461, page 87, line 7, by striking out the word “and”.

Amend Sec. 461, page 87, line 7, by striking out the word “clubs”.

On the question,

Will the House agree to the amendments?

Mr. TURNER. Mr. Speaker, I would yield to the gentleman from Bedford, Mr. Foor, if he desires to speak on his amendments. I would not want to usurp his time.

Mr. FOOR. Mr. Speaker, I would like a roll call.

The SPEAKER. Is the roll call seconded? Seconded by the gentleman from Wayne, Mr. Dix.

Mr. TURNER. Mr. Speaker, —

Mr. DIX. Mr. Speaker, I will withdraw my second to the request for a roll call.

Mr. TURNER. Mr. Speaker, I thought that the gentleman from Bedford might want to debate his amendments and I withdrew for that purpose.

However, before putting the question I wondered whether the gentleman from Bedford would not withdraw his amendments, because his amendments now would be out of place in the bill which provides that for eighteen months it shall be open. If you put “and clubs” in, then, of course, I do not believe it would do either one of the things, it would not create what Mr. Foor wants, nor would it be in consonance with the amendment already adopted by the House.

PARLIAMENTARY INQUIRY

Mr. CHUDOFF. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CHUDOFF. Mr. Speaker, if all these three sets of amendments are passed what would happen?

The SPEAKER. The Chair might state to the gentleman from Philadelphia that these amendments are purely a question to be decided by the House. They are being submitted to the House, and they must be disposed of by the House.

Mr. CHUDOFF. I thank you, Mr. Speaker.

The SPEAKER. The effect upon the bill is not for the Chair to decide.

On the question recurring,

Will the House agree to the amendments?

Mr. FOOR. Mr. Speaker, I will withdraw my request for a roll call and ask for a division.

A division having been called for, 36 Members voting in the affirmative and 126 in the negative, the question was determined in the negative and the amendments were not agreed to.

The SPEAKER. The Chair now lays before the House the amendments offered by the gentleman from Washington, Mr. Capano.

The Clerk read the amendments as follows:

Amend Sec. 461, page 86, lines 10 to 20, inclusive, by striking out all of said lines.

Amend Sec. 461, page 87, lines 1 to 20, inclusive, by striking out all of said lines.

Amend Sec. 461, page 88, lines 1 to 10, inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendments?

Mr. TURNER. Mr. Speaker, the effect of these amendments, as has been stated before, would be to remove all of the quota law. It would be in opposition in particular to what the House just decided with reference to the amendments offered by myself.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman says that the amendments offered by the gentleman from Washington, Mr. Capano, would wipe out the quota law entirely. Is that not the effect of the amendments offered by the gentleman from Delaware, which have just been adopted by this House?

Mr. TURNER. No, Mr. Speaker, the amendments offered by myself only applied to clubs for a limited period of eighteen months. This amendment would wipe it out entirely for all licenses, whether it be clubs or retail licenses.

Mr. HEWITT. Mr. Speaker, sometime ago I made a motion which apparently was out of order because of the agreement between the Speaker of the House and the gentlemen who introduced the amendments. My intentions were after the amendments were settled to make a motion that the bill be recommitted to the Committee from which it originated, but the overwhelming vote for the amendments of the gentleman from Delaware Mr. Turner, has completely defeated me, and I therefore will not make the motion.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the article as amended?

It was agreed to.

The fifth to the ninth articles inclusive and the title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, to be transcribed for third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DAVID P. REESE asked and obtained permission for the Committee on Workmen's Compensation to meet during the session of the House.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76,

Senate Bill No. 246, Printer's No. 83,

Senate Bill No. 492, Printer's No. 185 and

Senate Bill No. 542, Printer's No. 222

were passed over at the request of the SPEAKER.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STOCKHAM asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

HOUSE BILL No. 1170 MADE SPECIAL ORDER

Mr. TURNER. Mr. Speaker, I move that House Bill No. 1170, on page 8, of today's calendar, bills on second reading, be made a special order of business for Monday, May 19(at 4:30 p. m.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. SCOTT,

The House resumed the consideration on second reading of House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing special education for children afflicted with cerebral palsy or otherwise physically handicapped.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SCOTT offered the following amendments:

Amend Sec. 1 (Sec. 1413) page 3, lines 8 and 9, by striking out the words "(spastic paralysis) or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 3, line 12, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 4, lines 4 and 5, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 4, lines 7 and 8, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 4, line 13, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 4, line 16, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 5, line 4, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 5, line 11, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 5, lines 17 and 18, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 5, line 19, by striking out the words "or otherwise".

Amend Sec. 1 (Sec. 1413) page 6, line 1, by striking out the words "physically handicapped".

Amend Sec. 1 (Sec. 1413) page 6, lines 7 and 8, by striking out the words "or otherwise physically handicapped".

Amend Sec. 1 (Sec. 1413) page 6, line 14, by adding after the word "require" the following: "Provided, That the provisions of this paragraph relative to special education for children afflicted with cerebral palsy shall not apply to school districts in cities of the first class".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. SCOTT offered the following amendment:

Amend title, page 2, last line of title on said page, by striking out the words "or otherwise physically handicapped" and inserting in lieu thereof "in school districts other than in cities of the first class".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

CLASS OF PENN STATE CENTRE WELCOMED

The SPEAKER. The Chair is pleased this afternoon to have as guests in the hall of the House members of the Political Science Class from Penn State Centre, Pottsville, under the direction of Professor Snyder.

CLASS OF FALLS TOWNSHIP HIGH SCHOOL WELCOMED

The SPEAKER. The Chair would state that there were present as guests in the Hall of the House this afternoon, the Senior Class of the Falls Township High School, Fallsington, Bucks County, under the direction of the Principal, Mr. H. E. Smith, and Miss Barbara Landvater, teacher. They were the guests of the gentlemen from Bucks, Messrs. Stockham and Yeakel.

The Chair is informed that during the debate on House Bill No. 1170, the class had to leave, but the Chair wishes to state that he was very much pleased to have had them here for a part of this afternoon's session.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 535 as follows:

An Act to amend section one thousand nine of Article Ten of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such cor-

porations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand nine of Article Ten of the Act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the Act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 1009 Limitation upon Investing in Shares

A Except as otherwise specifically authorized by this act a bank or a bank and trust company shall not purchase or invest in the shares of capital of any corporation whatsoever

B Any bank or bank and trust company may purchase or invest in the shares of a Federal Reserve Bank a national banking association located within this Commonwealth or any bank bank and trust company or trust company incorporated under the laws of this Commonwealth or of any corporation organized for the purpose of conducting a safe deposit business

C Any bank and trust company may in exchange or in consideration for such assets and property as comprised its title insurance business take and hold the shares of any corporation organized and existing under the laws of this Commonwealth for the purpose of conducting a title insurance business and in addition thereto purchase additional shares in the same company provided that the total amount invested in such corporation shall not exceed a sum equal to ten per centum of the capital and surplus of such bank and trust company but in no event in excess of twice the minimum amount of capital and paid in surplus required for the incorporation of such company under the laws of this Commonwealth and provided that such shares shall not except with the written approval of the department be entered upon its books at an amount greater than the amount at which the assets and property which comprised its title insurance business were theretofore entered upon its books [.] plus the amount paid for any additional shares acquired as herein permitted Any bank and trust company may hold share of such company received by it as a dividend payable in shares of such company

D This section shall not be construed to affect the power of a bank or a bank and trust company to take or hold shares of capital of a corporation in accordance with the provisions of this act as security for loans granted by such bank or bank and trust company

Section 2 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon.
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger.
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Nedham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kilne,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter.
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constituion having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 542, Printer's No. 585,

was passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1118 as follows:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 352) is hereby further amended to read as follows

Section 348 Contracts [All contracts made by the commissioners of any county involving an expenditure exceeding one hundred dollars except contracts for building rebuilding or repair of bridges or for painting or tightening the bolts of iron bridges as hereinafter provided for shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made nor the payment thereof certified by the controller for over three hundrd dollars except in counties of the second class and in counties of the third fourth and fifth classes in which counties the amount of said contract shall not exceed (\$500.00) five hundred dollars unless made with the lowest and best bidder after due notice to be published by the controller if he approves the purpose of the proposals invited All bids shall be received by the controller under seal and shall be opened in his presence by the commissioners and the contracts awarded thereon The controller shall keep a record of all such awards and shall certify no warrants for contracts not made agreeably thereto Provided however That on an appeal heretofore or hereafter taken from a controller's report the court shall not be required to enter or to sustain a surcharge for failure to comply with the provisions of this section where it appears that the county commissioners acted honestly and in good faith for the best interests of the county and where no loss or damage resulted to the county from such non-compliance Provided That during the continuation of the present wars in which the United States is engaged and for a period of six months after the cessation of all hostilities the contracts which must be made with the lowest and best bidder after advertisement in counties of the second third fourth and fifth classes shall be those involving an expenditure of over five hundred dollars (\$500) But thereafter the limitation of three hundred dollars (\$300) shall apply as heretofore] The County Commissioners may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this section and the laws of the Commonwealth

(a) All contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the Board of County Commissioners is situated at least three (3) times at intervals of not less than three (3) days where daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a week for two (2) successive weeks The first advertisement shall be published not less than ten (10) days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five (5) days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within twenty (20) days after the contract has been awarded unless the commissioners shall prescribe a shorter period of not less than ten (10) days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by the commissioners involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the several class counties Provided That they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by the Board of Councl Commissioners as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any of the several class counties through its own employes Provided That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or arts thereof are desired by the Board of County Commissioners which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,
Andrews,	Getchey,	McCullough,
Bane,	Gibson,	McDonald,
Barrett,	Goff,	McKinney,
Baumunk,	Goodling,	McMillen,
Beech,	Gorman,	Mihm,
Bender,	Graybill,	Mikula,
Bentzel,	Greenwood,	Miller,
Bloom,	Greer,	Mills,
Boies,	Griffiths,	Mintess,
Bonawitz,	Guthrie,	Mohr,
Boorse,	Gyger,	Mooney,
Bower,	Hall,	Moore, C. E.,
Brelsich,	Haller,	Moore, H. A.,
Brice,	Haudenschild,	Morrison,
Brown,	Helm,	Murray,
Brunner,	Henry,	Myers,
Bucchin,	Hewitt,	Najaka,
Cadwalader,	Hocker,	Naumann,
Capano,	Hoffman,	Needham,
Cassidy,	Hoopes,	Neff,
Chervenak,	Horan,	Nelson,
Chudoff,	Imbt,	O'Connor,
Clevenger,	Jennings,	O'Dare,
Cochran,	Johnson,	O'Donnell,
Cole,	Johnston,	O'Neill,

Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Laver,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Floor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing charges in connection with borough facilities for general revenue purposes

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. HOFFMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs for further study and possible amendment.

The motion was agreed to.

PENNSYLVANIA COUNCIL OF REPUBLICAN WOMEN WELCOMED

The SPEAKER. The Chair is very pleased to have as guests in the hall of the House this afternoon, the Publicity Committee of the Pennsylvania Council of Republican Women.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection,

House Bill No. 800, Printer's No. 533, was passed over at the request of the SPEAKER.

There being no objection,
House Bill No. 852, Printer's No. 581,
House Bill No. 853, Printer's No. 582 and
House Bill No. 855, Printer's No. 489,
were passed over at the request of Mr. FISS.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 958, entitled:

An Act to amend the act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" by changing the method of compensation and designating the borough council as the board of revision and providing that any tax levied for any borough purpose shall be based on the assessments hereunder and prohibiting the use of borough assessments under this act for county purposes

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. STOCKHAM. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs for further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1033, as follows:

An Act to amend clause (a) of Section five hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the levy of school taxes in school districts of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section five hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 93) is hereby further amended to read as follows

Section 524

(a) An amount which with all moneys received from the Commonwealth applicable thereto shall be sufficient to pay the minimum salaries and increments of the teaching and supervisory staff thereof as fixed and provided by law to pay the contributions of said district to the teachers' retirement system

Provided however That for the purpose of computing the amount required to pay the minimum salaries and increments fixed by law but without otherwise limiting the rights of the district to employ teachers or other

employees the number of teachers on the salary schedule of the elementary schools shall not exceed one for every thirty [two] pupils in average daily [attendance] membership in such schools the number of teachers on the salary schedule of the junior high schools shall not exceed one for every [twenty-five] twenty-two pupils in average daily [attendance] membership in such schools the number of teachers on the salary schedule of the senior high schools shall not exceed one for every [twenty-five] twenty-two pupils in average daily [attendance] membership in such schools and the number of teachers with salaries and increments fixed by law on any salary schedule now established or hereafter established and not specially mentioned in this act shall not exceed one for every [twenty-five] twenty-two pupils in average daily [attendance] membership

The number of principals in the elementary schools and the principals in charge of all other character of schools now established or hereafter established and not specially mentioned in this act shall not exceed one for every six hundred pupils in average daily [attendance] membership in such schools and the number of principals in the junior and senior high schools shall not exceed one for every twelve hundred pupils in average daily [attendance] membership in such schools

The number of supervisors in all schools shall not exceed one for every fifteen hundred pupils in average daily [attendance] membership

The number of attendance officers and home and school visitors shall not exceed one for every two thousand pupils in average daily [attendance] membership in all elementary and secondary schools

In all adult and extension school classes the number of teachers shall not exceed one for every twenty pupils in average daily [attendance] membership in such schools

The salary and increments fixed by law of members of the teaching and supervisory staff whose number is not in some manner limited by the present proviso shall not be construed or considered as within item (a) of this section five hundred twenty-four of the act here amended but shall be construed and regarded as constituting expenses within the following item (c) of said section

Average daily attendance as used herein shall be based upon [attendance] membership during the preceding school term

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simona,
Bentzel,	Greenwood,	Miller,	Smith, C. C.
Bloom,	Greer,	Mills,	Smith, C. M.
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,

Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dairymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Deputy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Leisey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwalter,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 1040, Printer's No. 397,
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine" amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to interrogate my adviser, the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. If the gentleman from Westmoreland is not confused.

Mr. ANDREWS. Mr. Speaker, I would ask the gentleman from Westmoreland whether this is the bill that the Members from the rural districts voted for and the Members from the cities voted against?

Mr. LOVETT. I will be very glad to answer the gentleman and state that this possibly is the bill that the rural people voted against and the city people voted for.

Mr. ANDREWS. I thank the gentleman, Mr. Speaker.

Mr. FLEMING. Mr. Speaker, in view of the fact that there is a Committee meeting being held at this time, and seemingly there is opposition to this bill from some quarters, would it be possible to pass it over for the time being?

The SPEAKER. The Chair will be glad to entertain such a request.

The roll call having been started, will the House give its unanimous consent to temporarily pass this bill over? The Chair hears no objection, and the bill is passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 49, as follows:

An Act providing that the statement of Registration issued to electors and his signed declaration of age shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof and false statements imposing penalties and saving from prosecution licensees serving holders of such statements making such declarations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The statement of registration signed and issued to any registered elector by a Registrar Commissioner or Clerk under the provisions of any permanent personal registration law of this Commonwealth shall for the purpose of this act be and accepted as an identification card

Section 2 Such identification card shall be presented by the holder thereof upon request of any State Liquor Store or any licensee or the servant agent or employe thereof for the purpose of aiding such store licensee or the servant agent or employe to determine whether or not such person is twenty-one years of age and upwards when such person desires alcoholic beverage at a State Liquor Store or licensed establishment

Section 3 In addition to the presentation of such identification card the agent of the State Liquor Store or the licensee or his servant agent or employe shall require the person whose age may be in question to fill in and sign a card in the following form

.....194.....
I hereby represent
to a state store or
licensee of the Pennsylvania Liquor Control Board that
I am of full age and discretion and over the age of 21
years having been born on
19..... at this state-
ment is made to induce said store or licensee above
named to sell or otherwise furnish alcoholic beverages
to the undersigned

Serial number of Registration Card
I understand that I am subject to a fine of \$100.00 and
thirty days imprisonment for any misrepresentation
herein

.....
(Name)
.....
(Address)

Witness
Name
Address

Such statement shall be printed upon a 3 inch by 5 inch or 4 inch by 5 inch file card which card shall be filed alphabetically by the State Liquor Store of licensee at or before the close of business on the day of which said certificate is executed in a file box containing a suitable alphabetical index and which card shall be subject to examination by any officer agent or employee of the Liquor Control Board at any and all times

Section 4 It shall be unlawful for the owner of an identification card as defined by this act to transfer said card to any other person for the purpose of aiding such person to secure alcoholic beverage Any person who shall transfer such identification card for the purpose of aiding such transferee to obtain alcoholic beverage shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars (\$100) or undergo imprisonment for not more than thirty (30) days Any person not entitled thereto who shall have unlawfully procured or have issued or transferred to him an aforesaid identification card and any person who shall make any false statement on any card required by section three hereof to be signed by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars (\$100) or undergo imprisonment for not more than thirty (30) days

Section 5 The signed statement in the possession of a licensee may be offered as a defense in all civil and criminal prosecutions for serving a minor and no penalty shall be imposed if the Liquor Control Board or the courts are satisfied that the licensee acted in good faith

Section 6 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, in the counties where they have not been issuing registration cards to those who register, what happens under this bill and what is the compulsion under the bill to require the County Commissioners or other proper officers to see that those who are registered get an evidence in the form of a card?

Mr. SORG. Mr. Speaker, I do not think that there is any compulsion in this bill to require statements or certificates by the Commissioners in the district where such are not already provided.

Mr. ANDREWS. Mr. Speaker, may I interrogate the gentleman from Elk, Mr. Sorg?

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, how do I prove that I am twenty-one other than by looks if I do not get a card?

Mr. SORG. Mr. Speaker, in those cases where no such registration certificates are available the law as it exists at present would apply. The bill does not therefore protect the licensees in those districts.

Mr. ANDREWS. Mr. Speaker, only in those districts where the County Commissioners are issuing cards?

Mr. SORG. That is my understanding, Mr. Speaker.

Mr. ANDREWS. Does not the gentleman believe that there should be something in this bill to compel the Commissioners to issue registration cards?

Mr. SORG. Mr. Speaker, I would have no objection and

I probably would vote for such a measure, but I do not see the necessity for its being placed in this particular bill.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I would like to ask the gentleman from Elk, Mr. Sorg, what would happen in a case where the person, the minor under 18 years of age, would secure a registration card, go into the liquor store and then make an affidavit under section three, and then be instructed that the affidavit required under section three is incorrect? Would that minor be subject to imprisonment for thirty days and a fine?

Mr. SORG. It is my understanding, Mr. Speaker, that they would.

Mr. BROWN. I did not hear the answer of the gentleman on account of the noise.

Mr. SORG. Mr. Speaker, it is my understanding that he would, under the present law, for misstating his age.

Mr. BROWN. Mr. Speaker, suppose the minor is fourteen years of age and would do the same thing, would the minor then be subject to imprisonment for thirty days?

Mr. SORG. Mr. Speaker, I presume in such a case he would be subject to the jurisdiction of the juvenile court.

Mr. BROWN. Mr. Speaker, where in this bill does it say that the Juvenile Court shall have jurisdiction?

Mr. SORG. Mr. Speaker, we rely for the procedural provisions, under this bill, in the general law as it exists at the present time for a minor who mis-states his age for the purpose of obtaining liquor.

Mr. BROWN. Mr. Speaker, does not the gentleman feel that there should be a clarifying amendment here that would specifically so state the proposition that he says is his opinion?

Mr. SORG. Mr. Speaker, I do not think that any such clarifying amendment is necessary.

Mr. BROWN. The gentleman said a few minutes ago that a minor under eighteen would be subject to thirty days imprisonment, and as to the second question he said that a minor under fourteen would be subject to the Juvenile Court. Which is right?

Mr. SORG. Mr. Speaker, in answer to the gentleman's first inquiry, it was my understanding that the gentleman referred only to minors; he specifically mentioned eighteen years of age. Such minors would be subject to the jurisdiction of the Juvenile Court, and in that event I was in error.

Mr. BROWN. The gentleman then does not feel that the bill is sufficiently important to put that safeguard in the amendment, lest his opinion may be wrong.

Mr. SORG. I feel sure, Mr. Speaker, that my opinion is right, in spite of the fact that the bill is important, and that it does not require any specific provision to cover that situation.

Mr. BROWN. Mr. Speaker, in the counties where we have no Juvenile Court, what would be the provision?

Mr. SORG. Mr. Speaker, in any county one who is subject to the juvenile laws will be proceeded with just as he would in the case of any other similar proceeding

for appearance in Juvenile Court, or whatever proceeding is provided.

Mr. BROWN. I thank the gentleman, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I think I have changed my mind about this bill. I think it will stimulate registration. I have noticed from the election returns and the statistics that wherever there is universal registration, the larger the number of people who register the bigger the Democratic vote, and so I have decided to support this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—189

Aaronson,	Getchey,	McCosker,	Scanlon,
Andrews,	Gibson,	McCullough,	Scott,
Bane,	Goff,	McDonald,	Serrill,
Baumunk,	Goodling,	McKinney,	Shoemaker,
Beech,	Gorman,	McMillen,	Simons,
Bender,	Graybill,	Mihm,	Smith, C. C.,
Bentzel,	Greenwood,	Mikula,	Smith, C. M.,
Bloom,	Greer,	Miller,	Snider,
Boles,	Griffiths,	Mills,	Sollenberger,
Bonawitz,	Guthrie,	Mintess,	Sorg,
Boorse,	Gyger,	Mohr,	Sproul,
Bower,	Hall,	Mooney,	Stimmel,
Breisch,	Haller,	Moore, C. E.,	Stockham,
Brice,	Haudenshield,	Moore, H. A.,	Stonier,
Brunner,	Helm,	Morrison,	Stuart,
Bucchin,	Henry,	Murray,	Swope,
Cadwalader,	Hewitt,	Myers,	Tahl,
Cassidy,	Hocker,	Najaka,	Thomassy,
Chervenak,	Hoffman,	Naumann,	Thompson,
Chudoff,	Hoopes,	Needham,	Tittle,
Clevenger,	Horan,	Neff,	Tompkins,
Cochran,	Imbt,	Nelson,	Toomey,
Cole,	Jennings,	O'Dare,	Turner,
Cook,	Johnson,	O'Donnell,	Upshur,
Cooper,	Johnston,	O'Neill,	Vaughan,
Cordier,	Jones,	Orban,	Verona,
Costa,	Jump,	Patten,	Wachhaus,
Dague,	Kean,	Petrosky,	Wagner,
Dalrymple,	Kelley,	Pichney,	Waldron,
Davison,	Kemp,	Pickens,	Wallin,
De Long,	Kent,	Polaski,	Walton,
Demech,	Kline,	Price,	Waterhouse,
Dennison,	Kohl,	Readinger,	Watkins,
Depuy,	Kratz,	Reagan,	Watson,
Dix,	Krise,	Reese, D. P.,	Weidner,
Dye,	Kurtz,	Reese, R. E.,	Wells,
Efenberg,	Laughner,	Reilly, J. M.,	Wescott,
Elder,	Layer,	Reilly, W. J.,	West,
Erb,	Lee,	Richter,	Wheeler,
Ewing,	Lelsey,	Riley,	Wolf,
Feola,	Livingston,	Robbins,	Wood,
Fish,	Livingstone,	Robertson,	Worley,
Fiss,	Loftus,	Root,	Yeakel,
Flack,	Lyons,	Rose,	Yetzer,
Fleming,	Madden,	Rowen,	Young,
Foor,	Madigan,	Sarraf,	Lichtenwalter,
Frost,	Mazza,	Sax,	Speaker.
Gallagher,	McCormack,		

NAYS—15

Barrett,	Evans,	Powers,	Schuster,
Brown,	Kirley,	Proper,	Stank,
Capano,	Lovett,	Ragot,	Yester,
Crowley,	O'Connor,	Royer,	

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 152, Printer's No. 245 and

Senate Bill No. 318, Printer's No. 81,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 335, as follows:

An Act to amend section seventeen of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties" is hereby amended to read as follows

Section 17 Scope of Act This act shall not affect any existing laws special or general authorizing a charge for the loan of money in excess of interest at the legal rate. This act shall not apply to any person persons partnership association or corporation operating under the laws related to banking institutions building and loan associations credit unions or licensed under the Small Loan Act approved June seventeen one thousand nine hundred fifteen and supplements or amendments or licensed by the Secretary of Banking of the Commonwealth of Pennsylvania under the provisions of any other statute This act shall not apply to any bona fide sale of personal property by a person regularly engaged in the sale of such personal property wherein the purchaser may pay any part or all of the purchase price in stated installments nor to any such bonafide sale under a conditional sale contract lease or bailment wherein the purchaser lessee or bailee has the option of becoming or is bound to become the owner of the property upon full compliance with the terms of the agreement This act shall not apply to non-profit corporations organized under the laws of the Commonwealth of Pennsylvania having memberships consisting exclusively of duly licensed physicians surgeons and dentists operated exclusively for and by their members and engaged in among other activities the financing of personal obligations arising from the rendering of professional services by the members of such non-profit corporations which are limited strictly to medical surgical dental operative diagnostic and treatment services or nursing and hospital care

And said bill having been read at length the third time, considered and agreed to,

On the question?

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintes.,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stammel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stuarter,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hooker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Clevenger,	Jennings,	O'Dare,	Toomey,
Cochran,	Johnson,	O'Donnell,	Turner,
Cole,	Johnston,	O'Neill,	Upshur,
Cook,	Jones,	Orban,	Vaughan,
Cooper,	Jump,	Patten,	Verona,
Cordier,	Kean,	Petrosky,	Wachhaus,
Costa,	Kelley,	Pichney,	Wagner,
Crowley,	Kemp,	Pickens,	Waldron,
Dague,	Kent,	Polaski,	Wallin,
Dalrymple,	Kirley,	Powers,	Walton,
Davison,	Kilne,	Price,	Waterhouse,
De Long,	Kohl,	Propert,	Watkins,
Demech,	Kratz,	Ragot,	Watson,
Dennison,	Krise,	Readinger,	Weldner,
Depuy,	Kurtz,	Reagan,	Weiss,
Dix,	Laughner,	Reese, D. P.,	Wescott,
Dye,	Layer,	Reese, R. E.,	West,
Efenberg,	Lee,	Relly, J. M.,	Wheeler,
Elder,	Leisey,	Relly, W. J.,	Wolf,
Erb,	Livingston,	Richter,	Wood,
Evans,	Livingstone,	Riley,	Worley,
Ewing,	Lofthus,	Robbins,	Yeakel,
Feola,	Lovett,	Robertson,	Yester,
Fish,	Lyons,	Root,	Yetzter,
Fiss,	Madden,	Rose,	Young,
Flack,	Madigan,	Rowen,	Lichtenwalter,
Fleming,	Mazza,	Royer,	Speaker.
Foor,	McCormack,	Sarra,	
Frost,			

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL ON FINAL PASSAGE

Mr. FLEMING. Mr. Speaker, I desire to call up House Bill No. 542, Printer's No. 585, on page 12 of today's calendar, bills on final passage.

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 542, as follows:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and

to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title
This act shall be known and may be cited as the "Parking Authority Law"

Section 2 Findings and Declaration of Policy
It is hereby determined and declared as a matter of Legislative finding

(a) That residential decentralization in cities of the second class has been accompanied by an ever increasing trend in the number of persons entering the business sections by private automobile as compared with other modes of transportation

(b) That the free circulation of traffic of all kinds through the streets of cities of second class is necessary to the health safety and general welfare of the public whether residing in the city or traveling to through or from the city in the course of lawful pursuits

(c) That the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion on the streets of cities of the second class

(d) That the parking of motor vehicles on the streets has contributed to this congestion to such an extent as to interfere seriously with the primary use of such streets for the movement of traffic

(e) That such parking prevents the free circulation of traffic in through and from the city impedes rapid and effective fighting of fires and the disposition of police forces in the district and endangers the health safety and welfare of the general public

(f) That such parking threatens irreparable loss in valuations of property in the city which can no longer be readily reached by vehicular traffic

(g) That this parking crisis which threatens the welfare of the community can be reduced by providing sufficient off-street parking facilities properly located in the several residential commercial and industrial areas of the city

(h) That the establishment of a parking authority will promote the public safety convenience and welfare

(i) That it is intended that the authority cooperate with all existing parking facilities so that private enterprise and government may mutually provide adequate parking services for the convenience of the public

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the safety and welfare of the inhabitants thereof by the creation in second class cities of bodies corporate and politic to be known as "Parking Authorities" which shall exist and operate for the purposes contained in this act Such purposes are hereby declared to be public uses for which public money may be spent and private property may be acquired by the exercise of the power of eminent domain

Section 3 Definitions
The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of the Authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which the Authority is authorized to issue pursuant to section 5 of this act

(d) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(e) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(f) The term "Federal agency" shall mean and include the United States of America the President of the United States of America and any department or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(g) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(h) The term "persons" shall mean and include natural persons

(i) The term "project" shall mean any structure facility or undertaking which the Authority is authorized to acquire construct improve maintain or operate under the provisions of this act

(j) The term "city" shall mean city of the second class

(k) The term facility or "facilities" shall mean lot or lots buildings and structures above at or below the surface of the earth including equipment entrances exists fencing and all other accessories necessary or desirable for the safety and convenience of the parking of vehicles

Section 4 Method of Incorporation

(a) Whenever the city council of second class cities shall desire to organize an Authority under the provisions of this act it shall adopt a resolution or ordinance signifying their intention to do so

In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required any law to the contrary notwithstanding in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substances of such proposed articles of incorporation and to refer to the provisions of this act Thereafter the city council shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania

(b) On or before the day specified in said notice the city council shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(1) The name of the Authority
(2) A statement that such Authority is formed under the provisions of this act

(3) The name of the city together with the names and addresses of its council members

(4) The names addresses and term of office of the first members of the board of said Authority

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by the incorporating city by its proper officer and under its municipal seal

(c) If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin when such certificate has been recorded in the office for the recording of deeds in the county where the principal office of the Authority is to be located Said

certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

(d) When the Authority has been organized and its officers elected the secretary shall certify to the Secretary of the Commonwealth the names and addresses of its officers as well as principal office of the Authority Any change in the location of the principal office shall likewise be certified to the Secretary of the Commonwealth within ten (10) days after such change

Section 5 Purposes and Powers General

(a) The Authority incorporated under this act shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof and shall be known as the Parking Authority of the city but shall in no way be deemed to be an instrumentality of the city or engaged in the performance of a municipal function The Authority shall be for the purpose of conducting the necessary research activity to maintain current data leading to efficient operation of off-street parking facilities for the fulfillment of public needs in relation to parking establishing a permanent coordinated system of parking facilities planning designing locating operating owning leasing either in the capacity of lessor or lessee land and facilities to be devoted to the parking of vehicles of any kind Provided however That the Authority shall not have the power to engage in the sale of gasoline the sale of automobile accessories automobile repair and service or any other garage service and shall not engage in the sale of any commodity of trade or commerce

The Authority shall have power to lease portions of the first floor of the parking facilities for commercial use where in the opinion of the Authority such leasing is desirable and feasible in order to assist in defraying the expenses of the Authority Such leases shall be granted on a fair competitive basis

(b) Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights or powers

(1) To have existence for a term of fifty years as a corporation

(2) To sue and be sued implead and be impleaded complain and defend in all courts

(3) To adopt use and alter at will a corporate seal

(4) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purpose of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time required by it

(5) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(6) To make by-laws for the management and regulation of its affairs

(7) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation

(8) To fix alter charge and collect rates and other charges for its facilities at reasonable rates to be determined exclusively by it subject to appeal as hereinafter provided for the purposes of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the city Any person questioning the reasonableness of any rate fixed by the Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness of rates and other charges fixed altered charged or collected by the Authority Appeals may be taken to the Superior Court

within thirty days after the court of common pleas has rendered a final decision

(9) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date longer than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(10) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(11) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality corporation or Authority

(12) To have the power of eminent domain

(13) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(14) To do all acts and things necessary for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(15) To enter into contracts with the Commonwealth of Pennsylvania municipalities corporations or authorities for the use of any project of the Authority and fixing the amount to be paid therefor

(16) To enter into contracts of group insurance for the benefit of its employees and to set up a retirement or pension fund for such employees similar to that existing in the municipality where the principal office of the project is located

(c) The Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth of Pennsylvania or any political subdivision nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 6 Purposes and Powers Bonds

(a) The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any officer thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definite bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

(b) Any resolution or resolutions authorizing any bonds may contain provisions which be part of the contract with the holders thereof as to (1) pledging the full faith and credit of the Authority for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (2) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (3) the terms and provisions of the bonds (4) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (5) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (6) the setting aside of reserves or sinking funds and the regulation and disposition thereof (7) limitations on the issuance of additional bonds (8) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (9) any other additional agreements with the holders of the bonds

(c) Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustee and the holders of the bonds which may include restrictions upon the individual right of action of such bondholder and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders

(a) The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal of or interest on any of the bonds after the said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the bondholders for the purpose herein provided

(b) Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written

request of the holders of twenty-five per centum or such other percentages as may be specified in any deed of trust indenture or other agreement aforesaid in principal amount of the bonds then outstanding shall in his or its own name

(1) by mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals or other charges adequate to carry out any agreement as to or pledge of the revenue or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(2) bring suit upon the bonds

(3) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(4) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(5) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid of the principal amount of the bonds then outstanding to annual such declaration and its consequences

(c) The court of common pleas of the county wherein the Authority is located shall have jurisdiction of any suit action or proceedings by the trustee on behalf of the bondholders. Any trustees when appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may enter and take possession of the facilities of the Authority or any part or parts thereof the revenues or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority or the board might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts which are or may be applicable to the payment of the bonds so in default. Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

(d) Nothing in this section or any other section of this act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority. It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority

Section 8 Governing Body

(a) The powers of each Authority shall be exercised by a board composed of five members the majority of

whom shall be residents of such city and all of whom shall be residents of the county wherein the city is located. The mayor of the city shall appoint the members of the board one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the first day of June one thousand nine hundred forty-seven. Thereafter the said mayor shall not sooner than sixty days nor later than thirty days prior to June first in each year in which a vacancy occurs appoint a member of the board for a term of five years to succeed the member whose term expires on the first day of June next succeeding. Vacancies for unexpired terms that occur more than sixty days before the end of a term shall be promptly filled by appointment by the mayor. Members of the board may be removed at the will of the appointing power

(b) Members shall hold office until their successors have been appointed and may succeed themselves. A member shall receive no compensation for his services but shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of his duties

(c) The members of the board shall select from among themselves a chairman a vice-chairman and such other officers as the board may determine. The board may employ a secretary an executive director its own counsel and legal staff and such technical experts and such other agents and employees permanent or temporary as it may require and may determine the qualifications and fix the compensation of such persons. Three members of the board shall constitute a quorum for its meetings. Members of the board shall not be liable personally on the bonds or other obligations of the Authority and the rights of creditors shall be solely against such Authority. The board may delegate to one or more of its agents or employees such of its powers as it shall deem necessary to carry out the purposes of this act subject always to the supervision and control of the board. The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied

Section 9 Acquisition of Lands

The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such rights title interest or easement in such lands as the Authority may deem necessary for any of the purposes mentioned in this act. Provided however That no property devoted to a public use nor any property of a public service company property used for burial purposes places of public worship nor property which at the effective date of this act is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinances of the city shall be taken under the right of eminent domain. The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by cities of the second class. Provided that the viewers may take into consideration and may assess damages for expenses incurred for the removal of fixtures equipment and merchandise

The right of eminent domain herein conferred by this section may be exercised only within the city

Court proceedings necessary to acquire property or property rights for purposes of this act shall take precedence over all causes not involving the public interest in all courts to the end that the provision of parking facilities be expedited

Section 10 Moneys of the Authority

All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies

in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the city creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority. All banks and trust companies are authorized to give such security for such deposits. The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders. Every Authority shall have at least an annual examination of its books accounts and records by a certified public accountant. A copy of such audit shall be delivered to the city creating the Authority. A concise financial statement shall be published annually at least once in a newspaper of general circulation in the city where the principal office of the Authority is located. If such publication is not made by the Authority the city shall publish such statement at the expense of the Authority. If the Authority fails to make such an audit then the controller auditors or accountant designated by the city are hereby authority and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs.

The Attorney General of the Commonwealth of Pennsylvania shall have the right to examine the books accounts and records of any Authority.

Section 11 Competition in Award of Contracts

(a) All construction reconstruction repairs or work of any nature made by any Authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars (\$500.00) except reconstruction repairs or work done by employees of said Authority or by labor supplied under agreement with any Federal or State agency with supplies and materials purchased as hereinafter provided shall be done only under contract or contracts to be entered into by the Authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids as hereinafter provided. No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract. All such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued. Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directed by the officers agents and employees of the Authority or otherwise than by contract.

(b) All supplies and materials costing five hundred dollars (\$500.00) or more shall be purchased only after due advertisement as hereinafter provided. Authority shall accept the lowest bid or bids kind quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any

bid. The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer.

(c) The terms advertisement or due public notice wherever used in this section shall mean a notice published at least ten (10) days before the award of any contract in a newspaper of general circulation published in the municipality where the Authority has its principal office and if no newspaper is published therein then by publication in a newspaper in the county where the Authority has its principal office.

(d) No member of the Authority or officer or employee thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority. If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority.

(e) Subject to the foregoing provisions any Authority may but without intending by this provision to limit any powers of such Authority enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof. Provided however that the provisions of this section shall not apply to any case in which the Authority has taken over by transfer or assignment any contract authorized to be assigned to it under the provisions of section sixteen of this act nor to any contract in connection with the construction of any project which the Authority may have had transferred to it by any person or private corporation.

Section 12 Use of Projects

The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority. Provided however that the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefits.

Section 13 Limitation of Powers

The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged. The Commonwealth of Pennsylvania does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of the project or such portion thereof.

Section 14 Termination of Authority

When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge or any of the revenues or receipts of a project it may subject to any agreements concerning the operation or disposition of such projects convey such project to the city creating the

Authority When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the city and terminate its existence. A certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth. If the certificate is approved by the city creating the Authority by its ordinance or ordinances the said Secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county. Thereupon the property of said Authority shall pass to the city and the Authority shall cease to exist.

Section 15 Exemption from Taxation and Payments in Lieu of Taxes

The effectuation of the authorized purposes of Authorities created under this act shall and will be in all respects for the benefit of the residents of cities of the second class for the increase of their commerce and property and for the improvement of their health safety and living conditions and since Authorities will be performing essential governmental functions in effectuating such purposes such Authorities shall not be required to pay any taxes or assessments upon any property acquired or used by them for such purposes. Provided however That in lieu of such taxes or special assessments an Authority may agree to make payments to the city or the county or any political subdivision. The bonds issued by any Authority their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth of Pennsylvania.

Section 16 Transfer of Existing Facilities to Authority

(a) Any municipality or owner is hereby authorized to sell lease lend grant or convey to any Authority any project or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project. Any municipality is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality for the construction of projects not begun or if begun not completed. The territory served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall constitute the area in which such Authority shall be authorized to render service.

(b) No Authority shall acquire any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any project as defined in this act which said project is subject to the jurisdiction of the Pennsylvania Public Utility Commission without the approval of the commission evidenced by its certificate of public convenience first had and obtained in accordance with the procedure and investigations as to value as provided in section two hundred three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) known as the "Public Utility Law" the commission shall also consider the earning power of the project in deciding the value thereof. The word "acquire" as used in this paragraph shall include only the acquisition of existing facilities.

The Authority shall first report to and advise the city by which it was created of the agreement to acquire including all its terms and conditions.

The proposed action of the Authority and the proposed agreement to acquire shall be approved by the city council. Such approval shall be by two-thirds vote of all of the members of the council.

(c) This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the city causing such Authority to be

incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except as herein prescribed.

Section 17 Constitutional Construction

The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not effect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 18 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 19 This act shall become effective immediately upon final enactment.

On the question,

Shall the bill pass finally?

Mr. FLEMING. Mr. Speaker, I yield to the gentleman from Allegheny county, Mr. Waldron.

Mr. WALDRON. Mr. Speaker, I request a slow roll call, please.

Mr. FLEMING. Mr. Speaker, when I yielded to the gentleman I thought he wished to debate the bill. I would not have yielded had I known that was not his purpose. He certainly has a right to ask for a slow roll call.

Mr. Speaker, I would like to discuss with you House Bill No. 542, which provides for the city of Pittsburgh a Parking Authority. As the Members of both sides of the House are well aware, this bill had quite a stormy passage so far through the House, but the sponsors for the bill, the gentleman from Allegheny, Mr. Richter, and the gentleman from Allegheny, Mr. Brown, together with the leaders on both sides of the House, have been in continual consultation on it and have agreed finally to amendments to which I believe have met all the opposition, at least they have met the opposition that had been raised by the principal opponents. I believe now that we have in House Bill 542 a measure that will provide for the City of Pittsburgh and the residents of Allegheny county generally much needed legislation and much needed relief in a situation that is purely of a local nature. I would urge upon every member of this House to vote and support this piece of legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Smith, C. C.,
Bentzel,	Greenwood,	Millis,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Needham,	Swope,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,

Cook,	Johnson,	O'Neill,	Turner,
Cooper,	Johnston,	Orban,	Upshur,
Cordier,	Jones,	Patten,	Vaughan,
Costa,	Jump,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Wallin,
De Long,	Kirley,	Powers,	Walton,
Demech,	Kilne,	Price,	Waterhouse,
Depuy,	Kohl,	Propert,	Watkins,
Dix,	Kratz,	Ragot,	Watson,
Dye,	Krise,	Readinger,	Weidner,
Elder,	Laughner,	Reagan,	Wescott,
Erb,	Layer,	Reese, D. P.,	Wheeler,
Evans,	Lee,	Reilly, J. M.,	West,
Ewing,	Leisey,	Reilly, W. J.,	Wolf,
Feola,	Livingston,	Richter,	Wood,
Fish,	Livingstone,	Riley,	Worley,
Fiss,	Loftus,	Robbins,	Yeakel,
Flack,	Lovett,	Robertson,	Yester,
Fleming,	Lyons,	Rose,	Yetzer,
Foor,	Madden,	Rowen,	Young,
Frost,	Madigan,	Royer,	Lichtenwalter,
	Mazza,	Sarrafi,	Speaker.

NAYS—4

Bucchin,	Crowley,	McKinney,	Waldron,
----------	----------	-----------	----------

NOT VOTING—15

Bloom,	Guthrie,	Naumann,	Tahl,
Cochran,	Kean,	Reese, R. E.,	Trout,
Dennison,	Kurtz,	Root,	Weiss,
Efenberg,	McCormack,	Simons,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Mr. TURNER. Mr. Speaker, I desire to call up House Bill No. 1040, Printer's No. 397 on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by adding after the word "operates" the following "and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton, New Jersey and Morrisville, Pennsylvania to the Atlantic Ocean as a highway of commerce, the investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea, and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from

Trenton, New Jersey, and Morrisville, Pennsylvania, to the Atlantic Ocean as a highway of commerce."

Amend Sec. 1, page 2, line 16, by adding after the word "appropriate" the following "and in addition thereto to formulate a specific action program for the following purposes:

(a) The promotion of the navigable section of the Delaware River and Bay extending from Trenton, New Jersey, and Morrisville, Pennsylvania, to the Atlantic Ocean as a highway of commerce.

(b) The making of recommendations to the proper authorities for the improvement of terminal lighterage, wharfage, warehouse and other facilities necessary for the promotion of commerce on the Delaware River.

(c) The making of a report on any other factors which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion of the development of ports along the Delaware River and the use by commercial vessels of their facilities."

(d) The investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea, and making of such studies, surveys, and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication.

(e) The conducting of an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton, New Jersey and Morrisville, Pennsylvania, to the Delaware Bay.

Section 2 The said Delaware River Joint Commission shall proceed without delay to study these problems in their entirety in cooperation with the Interstate Commission on the Delaware River Basin also an agency of the Commonwealth of Pennsylvania and the State of New Jersey and of the States of New York and Delaware and shall make a report to the General Assembly not later than the first day of February, one thousand nine hundred forty-nine."

Amend Sec. 2, page 2, line 17, by striking out the figure "2" and inserting in lieu thereof "3."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none,

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 364, as follows:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes

and revising amending and consolidating the laws relating thereto" as amended by the act approved the eleventh day of July one thousand nine hundred forty-one (P. L. 360) is hereby further amended by adding at the end thereof two new sections to read as follows

Section 496.5 In establishing maintaining and operating airdromes and landing fields where construction and repair of roadways runways buildings and facilities or the purchase thereof are deemed necessary within or for use within the limits of land acquired for such purpose there shall be no necessity for submission thereof to the court of quarter sessions or Grand Jury of any county but contracts therefor shall be entered into as provided for the general business of the county and in the case of joint establishment operation and maintenance with any other political subdivision contracts relating thereto shall be entered into as provided for the general business of any of such participating municipal subdivisions

Section 496.6 Any contracts heretofore entered into for construction and repair of roadways runways buildings and facilities or the purchase thereof within or for use within the limits of land acquired for the establishment and operation of airdromes or landing fields without first having obtained the approval of the court of quarter sessions or Grand Jury of any county and entered into as provided for the general business of the county or other political subdivisions jointly interested are hereby ratified confirmed approved and declared lawful contracts

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cochran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Cooper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrofsky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demech,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weldner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,			

Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yetzer,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rosen,	Lichtenwaller,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Mr. FLEMING. Mr. Speaker, I desire to call up House Bill No. 1214, Printer's No. 530 on page 16 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1214, as follows:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A Supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" is hereby amended to read as follows

A Supplement to the twenty-fourth section of an act entitled "An Act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine" approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities towns townships and boroughs within this Commonwealth

Section 2 Section two of said act as last amended by the act approved the thirtieth day of April one thousand

nine hundred thirty-five (P. L. 122) is hereby further amended to read as follows

Section 2 On and after the first day of January one thousand nine hundred and nineteen and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities towns townships and boroughs within the Commonwealth the entire net amount received from the two per centum tax paid upon premiums by foreign fire insurance companies The amount to be paid to each of the treasurers of the several cities towns townships and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign fire insurance companies doing business within the said cities towns townships or boroughs and shall be proportionate to the premiums received by such companies on account of insurance written upon property located in such city borough town or township as shown by the report made to the Department of Revenue Each city borough town or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund association of the fire department or of such fire company or fire companies paid or volunteer now existing or hereafter organized in such city borough town or township as is or are engaged in the service of such city borough town or township and duly recognized as such by the council or commissioners or supervisors as the case may be of such city borough town or township In any borough town or township in which there is no fire department or fire company or companies the amount received by the treasurer of the borough town or township from said tax shall be forthwith paid to the relief fund association of the fire department or fire company or companies of any near or adjacent city borough town or township the fire department or fire company or companies of which afford fire protection to the inhabitants of such borough town or township Before payment of said tax to the treasurer of any such borough town or township the burgess in boroughs and the secretary of the board of supervisors in towns or townships shall first certify to the Auditor General that the fire department or fire company or companies of such near or adjacent city borough town or township afford fire protection to the inhabitants of such borough town or township Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities towns townships and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same all such fire insurance companies shall instruct their agents to place upon the said policies the exact city borough town or township wherein the insured property is located

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Baumunk,	Goff,	McMillen,	Scott,
Beech,	Goodling,	Mihm,	Serrill,
Bender,	Gorman,	Mikula,	Shoemaker,
Bloom,	Graybill,	Miller,	Simons,
Bonawitz,	Greenwood,	Mintess,	Smith, C. C.,
Boorse,	Greer,	Mohr,	Smith, C. M.,
Bower,	Griffiths,	Mooney,	Snider,
Breisch,	Guthrie,	Moore, C. E.,	Sollenberger,
Brice,	Gyger,	Moore, H. A.,	Sorg,
Brown,	Hall,	Morrison,	Sproul,
Brunner,	Haller,	Murray,	Stank,
Bucchin,	Haudenschild,	Myers,	Stimmel,
Cadwalader,	Helm,	Najaka,	Stockham,
Capano,	Henry,	Naumann,	Stonier,
Cassidy,	Hewitt,	Needham,	Stuart,
Chervanak,	Hocker,	Neff,	Swope,

Chudoff,	Hoffman,	Nelson,	Tahl,
Clevenger,	Hoopes,	O'Connor,	Thomassy,
Cochran,	Horan,	O'Dare,	Thompson,
Cole,	Imbt,	O'Donnell,	Tittle,
Cook,	Jennings,	O'Neill,	Tompkins,
Cooper,	Johnson,	Orban,	Toomey,
Cordier,	Johnston,	Patten,	Turner,
Costa,	Jones,	Petrosky,	Upshur,
Crowley,	Kean,	Pichney,	Vaughan,
Dague,	Kelley,	Pickens,	Verona,
Dalrymple,	Kemp,	Polaski,	Wachhaus,
Davison,	Kent,	Powers,	Wagner,
De Long,	Kilne,	Price,	Waldron,
Demech,	Kohl,	Probert,	Wallin,
Dennison,	Kratz,	Ragot,	Walton,
Depuy,	Krise,	Readinger,	Waterhouse,
Dix,	Kurtz,	Reagan,	Watkins,
Dye,	Laughner,	Reese, D. P.,	Watson,
Efenberg,	Layer,	Reese, R. E.,	Weidner,
Elder,	Lee,	Reilly, J. M.,	Weiss,
Erb,	Leisey,	Reilly, W. J.,	Wescott,
Evans,	Livingston,	Richter,	West,
Ewing,	Loftus,	Riley,	Wheeler,
Feola,	Lovett,	Robbins,	Wolf,
Fish,	Lyons,	Robertson,	Wood,
Fiss,	Madden,	Roc.,	Worley,
Flack,	Madigan,	Rose,	Yeakel,
Fleming,	Mazza,	Rowen,	Yetzer,
Foor,	McCormack,	Royer,	Young,
Frost,	McCosker,	Jarraf,	Lichtenwalter,
			Speaker.

NAYS—7

Barrett,	Jump,	Livingstone,	Yester,
Bentzel,	Kirley,	Mills,	

NOT VOTING—2

Boies,	Trout,
--------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration Senate Bill No. 487, as follows:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 6 Notices of Taxes When any duplicate of taxes assessed is issued and delivered by any taxing district to the tax collector he shall within thirty days after receiving the tax duplicate notify every taxable whose

name appears on such duplicate Such notice shall contain (1) the date of the tax notice (2) the rate or rates of taxation (3) the valuation and identification of the real property of such taxpayer (4) the occupation valuation of such taxpayer if any (5) the several amounts of real and personal property and personal taxes for which said taxpayer is liable for the current year (6) the total amount of said taxes (7) a statement that such taxes are due and payable and (8) a request for payment thereof A separate notice shall be issued for each parcel of real property of a taxable Personal property and personal taxes may be included on any one of such tax notices Such notices shall further designate a place and time where the taxes shall be paid and state the time during which an abatement of tax will be allowed when full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed or delivered to the last known post office address of each of said taxables Any such notice may include information as to taxes levied by two or more taxing districts

The Department of Internal Affairs shall prepare a uniform form of tax notice and supply specimen copies thereof to the county commissioners of the several counties for distribution to tax collectors

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McCullough,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Bentzel,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervanak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Clevenger,	Jennings,	O'Dare,	Tompkins,
Cockran,	Johnson,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jones,	Orban,	Upshur,
Copper,	Jump,	Patten,	Vaughan,
Cordier,	Kean,	Petrosky,	Verona,
Costa,	Kelley,	Pichney,	Wachhaus,
Crowley,	Kemp,	Pickens,	Wagner,
Dague,	Kent,	Polaski,	Waldron,
Dalrymple,	Kirley,	Powers,	Wallin,
Davison,	Kline,	Price,	Walton,
De Long,	Kohl,	Propert,	Waterhouse,
Demach,	Kratz,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, R. E.,	Welss,
Dye,	Layer,	Reese, D. P.,	Wescott,
Efenberg,	Lee,	Relly, J. M.,	West,
Elder,	Leisey,	Relly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,

Fleming,
Foor,
Frost,

Mazza,
McCormack,

Royer,
Sarraf,

Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is very pleased to observe a former Member in the House, the gentleman from Westmoreland, Honorable Roy Heberlin.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire permission to make a brief statement. The question has been raised as to whether in releasing House Bill 417, the Education Committee acted in defiance of the Governor's wishes. I would not be in a position to pass on that and I would not know whether the Committee on Education was defying the Governor or whether the Governor was defying the Committee. I do say, in view of the statements that have been made it is time that there be some clarification of the position.

According to the current press the Majority Leader has stated that it will be necessary for him to offer various amendments to House Bill 417. What amendments? What is the Governor's position? What is the position of the Majority party with regard to this bill? Isn't it time that we had a program? Isn't it time that we knew what position the leadership of the House was to take? We are going home over the week-end and I would like to be in a position to discuss with the educators in my home town, with the members of the school board in my city, and with the taxpayers the changes which the administration or the administration spokesmen propose to make in House Bill 417. The financial background of our school legislation, the details of it are too much of a secret somewhere, and I submit to you that it is time that we knew just what the basic proposals to which this administration is committed are. We know the planks in the two platforms; we know it is definitely pledged to raise teachers' salaries to a professional level. What is the Governor's answer to the pledges that the Republican Party and the Democratic Party made to the people of this Commonwealth? I would like to know what that answer is so that I can discuss it with my constituents back home.

Mr. SORG. Mr. Speaker, I have no desire at the present time nor any intention to debate the merits or demerits of House Bill 417. I feel, however, that I should say that my statements to the effect that it would require amendments had in mind those amendments at least that would make it practical. I want to say that perhaps the gentleman is just about twenty minutes ahead of just exactly such a statement as he has requested. The problem, I understand, will be issued publicly, containing a statement of the facts involved, and the unmistakable clear

attitude of this administration towards the teachers' salaries problem. I feel before the gentleman leaves and before he meets his constituents over this week-end that he will have a great deal of information, valuable information, that should be sufficient to make adequately clear to him the plans for this particular session in the event the Members of this House should see fit to subscribe to them.

Mr. ANDREWS. Mr. Speaker, I want to thank the Majority Leader and the administration for service. It is the first time I ever made a basic request and was told that I would be answered in twenty minutes.

RESOLUTION NO. 34

Mr. CORDIER. Mr. Speaker, I wish to call up House Resolution No. 34 on page 20 of today's calendar. The resolution was read, considered and adopted as follows:

In the House of Representatives, March 31, 1947.

Whereas The taxpayers of this State and Nation have spent upwards of five million dollars to plan and construct the Scranton and Wilkes-Barre Airport soon to be opened and

Whereas It is widely known in aviation circles that the excellent planning and development of this air field has made it a very important link in the potential civil and military air transportation pattern of the northeastern part of our country and

Whereas Field examiners for the Civil Aeronautics Board recently recommended to the full Board that all applications made by major airlines to serve the Scranton-Wilkes-Barre Airport be rejected and that small untried air service groups be permitted to provide air transportation to and from the Nation's 19th largest metropolitan area and

Whereas The people of northeastern Pennsylvania under the proposed recommendations in addition to the denial of major air line service will be without air transportation to esuch import business and governmental areas as Harrisburg our State Capitol New England the Midwest the West and the South and

Whereas The confirmation of the field examiners' recommendations by Civil Aeronautics Board proper will have a further bad effect on the employment rehabilitation of northeastern Pennsylvania and will deny to Pennsylvania's outstanding all-weather airport its rightful place in ascending civil air traffic in this country therefore be it

Resolved by the House of Representatives that it is the opinion of the membership of the House that the recommendation of the field examiners should not be accepted by the civil Aero nautics Board and be it further

Resolved that the Pennsylvania Aeronautics Commission give its support and cooperation in the effort of the people of northeastern Pennsylvania to have the recommendation of the field examiners disapproved

RESOLUTIONS

Mr. HENRY offered a resolution which was filed with the Clerk under the Rules.

Mr. McCULLOUGH offered a resolution which was filed with the Clerk under the Rules.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. HOFFMAN asked and obtained unanimous consent to add additional sponsors to a condolence resolution he was about to present.

CONDOLENCE RESOLUTION

Messrs. HOFFMAN, JONES and RAGOT offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 14, 1947.

The members of the House of Representatives are saddened to learn of the death of Herbert H. Roseberry, a former member, who died yesterday, May 12, 1947, in the Easton Hospital, Easton, Pennsylvania.

Mr. Roseberry was born in Easton, Pennsylvania, on September 24, 1887, the son of Dr. Charles I. and Sophia B. (Ludwig) Roseberry, and throughout his life was active in its affairs.

He was graduated from Easton High School and was by profession an accountant.

Mr. Roseberry was elected for four terms as City Controller of Easton, 1920 to 1936, inclusive and was elected from the second legislative district in Northampton County as representative in 1938.

He was later employed by the Pennsylvania Department of Internal Affairs and prior to his death was employed as an accountant by the Taylor Wharton Iron and Steel Company of Easton, Pennsylvania.

Mr. Roseberry was a man whose integrity was above reproach. He willingly assumed civic responsibilities and served his community and State with distinction and honor. Those who knew him well can attest to his wholesome personality and to his sympathetic understanding; therefore, be it

Resolved, That in the passing of Herbert H. Roseberry, his community and State have lost the services of a conscientious citizen; and be it further

Resolved, That the members of this House of Representatives extend to his family their heartfelt sympathy and direct that the Chief Clerk, in token thereof, shall transmit to his family a copy of this resolution at 313 Bushkill Street, Easton, Pennsylvania.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. TURNER for himself for tomorrow's session.

Mr. RAGOT for himself for tomorrow's session.

Mr. ROSE for himself for tomorrow's session.

Mr. CHERVENAK for himself for tomorrow's session.

Mr. BUCCHIN for himself for tomorrow's session.

Mr. EVANS for himself for tomorrow's session.

Mr. O'CONNOR for himself for tomorrow's session.

Mr. HOFFMAN for himself for tomorrow's session.

Mr. JONES for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. DAVID P. REESE from the Committee on Workmen's Compensation, reported as amended, House Bill No. 975, entitled:

An Act to amend clauses (c) and (g) of section three hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," further regulating compensation for occupational disease and liability therefor.

Mr. O'NEILL from the Committee on Public Utilities, re-reported as committed, Senate Bill No. 334, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities.

Mr. DAVID P. REESE from the Committee on Workmen's Compensation, re-reported as amended, Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

Mr. DAVID P. REESE from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L., 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis.

Mr. DAVID P. REESE from the Committee on Workmen's Compensation, re-reported as amended, House Bill No. 952, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (Pamphlet Laws 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS No. 48, 659, 661, 663, 664, 665 and 666

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 48, Printer's No. 539, entitled "An Act to add clause XLIX to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' authorizing acquisition of property for and establishment and maintenance of parking lots."

JAMES H. DUFF.

May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 659, Printer's No. 117, entitled "An Act to further amend section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' by increasing for a further limited period of time the rate of tax imposed upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons by making further provisions for the report and payment of the tax and by further defining gross receipts."

JAMES H. DUFF.

May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 661, Printer's No. 118, entitled "An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled 'An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment

of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board' as previously reenacted and amended by extending the provisions thereof for a further limited period of time."

JAMES H. DUFF.

May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 663, Printer's No. 120, entitled "An Act to further amend section three of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 284) entitled as amended 'An act imposing a State tax payable by those herein defined as manufacturers and by others on malt or brewed beverages used sold transported or delivered within the Commonwealth prescribing the method and manner of evidencing the payment and collection of such tax conferring powers and imposing duties on the Department of Revenue and those using or engaged in the sale at retail or wholesale or in the transportation of malt or brewed beverages taxable hereunder and providing penalties' by temporarily increasing the rates of certain taxes."

JAMES H. DUFF.

May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 664, Printer's No. 519, entitled "An Act to provide revenue by imposing a state tax payable by those herein defined as manufacturers and bottlers and by others of syrups and bottled soft drinks prepared used sold transported or delivered within the Commonwealth requiring persons as herein defined engaged in the manufacture bottling distribution sale and transportation of syrup and bottled soft drinks to secure permits prescribing the method and manner of evidencing the payment and collection of such tax or assessing the tax conferring powers and imposing duties on the Department of Revenue and those manufacturing bottling distributing selling and transporting syrup or bottled soft drinks taxable hereunder and providing penalties."

JAMES H. DUFF.

May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 665, Printer's No. 122, entitled "An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended 'An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock asso-

ciations limited partnerships State and county officers boards and departments making an appropriation and providing penalties' as previously reenacted and amended by extending the provisions of the act for a further limited period of time and by disallowing any deduction for net operating losses"

JAMES H. DUFF.

May 14, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 666, Printer's No. 123, entitled "An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled 'A further supplement to an act entitled "An act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' postponing the manufacturing exemption with regard to capital stock tax and the franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies."

JAMES H. DUFF.

PRESENTATION OF GIFT

The SPEAKER. The Chair has a very pleasant duty to perform. The Chair in trying to keep his eye on the Members of the House failed to look to his right. Yesterday the Chair congratulated the Member from Lackawanna, Mr. Cordier, on becoming the proud father of another Republican. Since then Members of the House have seen fit to provide a fund for this child, and it gives us great pleasure to present at this time to Baby Cordier of Lackawanna County the following baby bank, with, I believe, some wherewithal, for the gentleman to present to the child when he goes home. Will the gentleman come to the rostrum and receive the gift? The Chair is very pleased on behalf of the Members of the House to present this gift to Baby Cordier.

Mr. ANDREWS. Mr. Speaker, will the Chair quote the rule of the House regarding solicitation of money?

The SPEAKER. The Chair for the moment is unaware of any rule in the book.

Mr. CORDIER. Mr. Speaker, I wish to offer my wholehearted thanks to the Members of this House for this excellent gift, and I want to assure you that this youngster has a much better chance in life than I had.

ADJOURNMENT

Mr. BENTZEL. Mr. Speaker, I move that this House do now adjourn until Thursday, May 15, 1947 at 10:00 a. m. Eastern Standard Time.

The motion was agreed to, and (at 3:07 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., THURSDAY, MAY 15, 1947.

No. 57.

SENATE

THURSDAY, May 15, 1947.

The Senate met at 11:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

Consider and hear us, O Lord, our God. Lead us to walk uprightly before Thee, and help us to work righteousness, and speak truth in our hearts. We lift our prayer to the throne of Eternal Justice, where there is love unspeakable and full of glory. Grant us, Thy Holy Spirit, that we may grow in mind, in soul, and in appreciation of all things worth while. Be with us in our struggles and in our triumphs; may we never neglect to praise Thee for that power which brings us into the joy and liberty of life. Be pleased, Eternal God, to bless our own true America, which is composed of a God-fearing and family-loving people, ever holding to the sacred ideals which have been the guide and the stay of our destiny. Make us proud of our heritage; so proud that we will refuse to waste or desecrate that which has cost so much in human sacrifice and devotion.

Gladly may we surrender all we are, and all we have, to the cause of the highest good, as it is in Jesus Christ, our Lord. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. MAHANY, further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. Barr asked and obtained leave of absence for Mr. ROSENFELD

He also asked and obtained leave of absence for Mr. DENT, who is attending the funeral of a county commissioner.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced pre-

sented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 221,
PRINTER'S No. 49

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 15, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 221, Printer's No. 49, entitled "An Act to add section sixteen point one to the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled 'An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes' by extending the time for payment of the tax without interest in certain cases staying distraint of execution on such taxes and requiring counties to make certain refunds."

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 535, entitled:

An Act to amend section one thousand nine of Article Ten of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," as amended, to permit certain Banks and Trust Companies to acquire and hold additional shares of stock of certain Title Insurance Companies.

Which was committed to the Committee on Banking.

House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders

thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

Which was committed to the Committee on Local Government.

House Bill No. 1033, entitled:

An Act to amend clause (a) of section five hundred twenty-four of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by further providing for the levy of school taxes in school districts of the first class.

Which was committed to the Committee on Education.

House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," extending the provisions relative to the making of certain contracts and further regulating same

Which was committed to the Committee on Local Government.

House Bill No. 1214, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 403) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," changing the system of distribution.

Which was committed to the Committee on Local Government.

HOUSE CONCURS IN SENATE BILL No. 49

He also returned to the Senate, Senate Bill No. 49, entitled:

An Act providing that the statement of registration issued to electors and his signed declaration of age shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof and false statements imposing penalties and saving from prosecution licensees serving holders of such statements making such declarations

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 335

He also returned to the Senate, Senate Bill No. 335, entitled:

An Act to amend section seventeen of the act, approved the eighth day of April, one thousand nine hundred thirty-seven, (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of

Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties", excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provision thereof.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 364

He also returned to the Senate, Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by prescribing the procedure and entering into contracts for establishment, operation and maintenance of aviation landing fields and air dromes.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 487

He also returned to the Senate, Senate Bill No. 487, entitled:

An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" changing the method of furnishing notices of taxes

with the information that the House has passed the same without amendments.

SENATE BILL No. 87 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 87, entitled:

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board or the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain State employees who during the war were loaned to the United States Government and who have now returned to State employment to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on the Calendar.

SENATE BILL No. 239 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on the Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler, announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 49, entitled:

An Act providing that the statement of registration issued to electors and his signed declaration of age shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof and false statements imposing penalties and saving from prosecution licensees serving holders of such statements making such declarations.

Senate Bill No. 335, entitled:

An Act to amend section seventeen of the act, approved the eighth day of April, one thousand nine hundred thirty-seven, (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof.

Senate Bill No. 364, entitled:

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto," by prescribing the procedure and entering into contracts for establishment, operation and maintenance of aviation landing fields and air dromes

Senate Bill No. 487, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," changing the method of furnishing notices of taxes.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

GENERAL COMMUNICATION

The Clerk cleared his table and laid before the Senate the following communication, which was read by the Clerk:

PENNSYLVANIA CHEMICAL SOCIETY

Incorporated

May 13, 1947

Secretary of the Senate,
Commonwealth of Pennsylvania,
Harrisburg, Pennsylvania.

Dear Mr. Secretary:

At its annual meeting, held in Harrisburg on March 28, the Society adopted two resolutions which its officers were directed to transmit to the chairman of the appropriate legislative committees. It has just been brought to my attention that, through inadvertence, transmittal was not effected. Therefore, as a matter of record, I am sending them as a part of this letter.

Resolution 1

Whereas problems affecting the health of the citizens of the Commonwealth of Pennsylvania are related to the practice of chemistry, and

Whereas the findings of many chemical investigations are essential to the protection of public health.

Be it resolved that the Pennsylvania Chemical Society recommend to the Governor of the Commonwealth of Pennsylvania that at least one member of the State Advisory Health Board shall, at all times, be a chemist qualified by training and experience in matters relating to public health.

Resolution 2

Whereas many of the advances in medicine and related sciences that have contributed to the alleviation of disease, the improvement of public health, and the prolongation of life were made possible only by investigation conducted upon experimental animals;

Be it resolved that the Pennsylvania Chemical Society is of the opinion that the enactment into law of Senate Bill 384 of the session of 1947 entitled "An Act to Prohibit Experimentation Upon Living Dogs" would be prejudicial to the future health and welfare of the public and detrimental to the advancement of medical, nutritional and related sciences.

Very truly yours,

E. P. BARRETT, Secretary

REPORTS FROM COMMITTEES

Mr. BERGER, from the Committee on Judiciary General reported as committed, Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act,

approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 725, entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries; and by further providing for additional investments for trust funds by fiduciaries.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 193, entitled:

An Act relating to judgments; providing for the lien thereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 630, entitled:

An Act to amend section one of the act, approved the third day of June, one thousand nine hundred eleven

(P. L. 631) entitled "An act authorizing a married woman to make conveyances of real estate to her husband, and validating all such conveyances heretofore made," authorizing conveyances of real estate of a married woman to her husband and herself jointly, as if she were a feme sole.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 533, entitled:

An Act to further amend section two of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," authorizing conveyances of real estate by married woman to her husband or to her husband and herself jointly without joinder of her husband.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 534, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entirety and validating certain transactions.

Mr. RAHAUSER, from the Committee on Judiciary General reported as committed, House Bill No. 518, entitled:

An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings, devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

He also, from the Committee on Judiciary General reported as amended, Senate Bill No. 204, entitled:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts.

Mr. TARR, from the Committee on Mines and Mining reported as committed, Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons; and providing penalties.

He also, from the Committee on Mines and Mining reported as committed, House Bill No. 344, entitled:

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" changing compensation of board members

Mr. MAHANY, from the Committee on Mines and Mining reported as committed, House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing penalties.

He also, from the Committee on Mines and Mining reported as committed, Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-

gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

He also, from the Committee on Judiciary General reported as committed, House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 734, entitled:

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 691, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases; placing said costs upon defendants, and imposing duties upon courts and certain county officers.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 690, entitled:

An Act relating to costs in desertion and non-support cases; placing said costs upon defendants, and imposing duties upon courts and certain county officers.

He also, from the Committee on Judiciary General reported as committed, Senate Bill No. 689, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," by providing further for the assessment, collection and lien of the tax, granting certain enforcement and investigatory powers to taxing authorities, and imposing duties on certain county officers.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 231, entitled:

An Act to amend the title and Section 1 of the act approved the sixteenth day of May one thousand nine hundred and forty-five (P. L. 594 and Number 249) entitled "An act authorizing and empowering any corporation for profit heretofore or hereafter organized under any

general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws or such corporation or by resolution of its shareholders and ratifying certain contributions" by removing certain limitations upon the power of corporations to make contributions for charitable purposes

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 231

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 231.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahauser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland,	Snowden,	Wilson,
Crider,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 557, on concurrence in House amendments entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil or any petroleum products by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on final passage entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the Gen-

eral Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on final passage, entitled:

An Act to amend, or further amend, Sections eight hundred six, eight hundred eight, and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "The Game Law," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 33, as follows:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred thousand dollars (\$400,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of making permanent improvements to and the development of the Delaware Division of the Pennsylvania Canal including the reconstruction and repair of aqueducts bridges and locks forming a part of said canal and for the maintenance of the same

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahauser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland,	Snowden,	Wilson,
Crider,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 106, as follows:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards commissions and authorities created by or operating as agencies of political subdivisions at which ordinances resolutions rules regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances resolutions rules and regulations at such sessions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All meetings regular and special of the county commissioners of any county the council of any city borough or incorporated town the commissioners of any township of the first class the supervisors of any township of the second class the school directors of any school district and of all boards commissions and authorities created by or operating as agencies of any of such political subdivision are hereby declared to be public meetings open to the public at all times Provided however That nothing contained in this act shall be construed to prevent any such body board commission or authority from holding executive sessions from which the public is excluded but no ordinance resolution rule or regulation shall be finally adopted at such an executive session

And said bill having been read at length the third time, and agreed to,

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery.	Wade,
Becker,	Haluska,	Rahausser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland	Snowden,	Wilson,
Cridler,	Homsher	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,
The Senate proceeded to the third reading and consideration of House Bill No. 215, as follows:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of

said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employe employees of the Pennsylvania Turnpike Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meaning

* * * * *
6 "State employe" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission [and of] the Delaware River Joint Toll Bridge Commission and of the Pennsylvania Turnpike Commission paid on a yearly or monthly basis if the Delaware River Joint Commission [and] the Delaware River Joint Toll Bridge Commission and the Pennsylvania Turnpike Commission shall agree to contribute and contributes to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employees of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for

the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the and twenty-one (P. L. 245) excepting such officers and twenty-first day of April one thousand nine hundred employees of the Department of Public Instruction as are not members or who may withdraw from the public school employees' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employees retirement association

The term "State employee" shall also include all State officers and employees regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahausen,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland	Snowden,	Wilson,
Crider,	Homsher	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 373, on third reading, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business,

with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employees of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business, or both.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 493, on third reading, entitled:

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax, on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," providing for the

purchase by the municipality of Pension Annuity Contracts for policemen.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. TALLMAN. Mr. President, on behalf of the sponsor, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend section 1.1, page 4, line 7, by inserting after the word "municipality" the following: "which has a police force but."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 562, as follows:

An Act to amend section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest and charges on loans and prescribing penalties for the violation of this act" excluding storage warehousemen from the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two and the first paragraph of section thirty of the act approved the sixth day of April nineteen hundred thirty-seven (P. L. 200) entitled "An act licensing and regulating the business of pawnbrokers providing for the issuance of licenses by the Secretary of Banking authorizing the Secretary of Banking to make examinations and issue regulations limiting the interest charges on loans and prescribing penalties for the violation of this act" are hereby amended to read as follows

Section 2 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Pawnbroker" includes any person who (1) engages in the business of lending money on the deposit or pledge of personal property other than choses in action securities or written evidence of indebtedness or (2) purchases personal property with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price or (3) [does business as a storage warehouseman and] lends money upon goods wares or merchandise pledged stored or deposited as collateral security

"Pledge" means an article or articles deposited with a pawnbroker as security for a loan in the course of his business as defined in the preceding paragraph

"Pledger" means the person who obtains a loan from

a pawnbroker and delivers a pledge into the possession of a pawnbroker unless such person discloses that he is or was acting for another in which case a "pledger" means the disclosed principal

"Person" includes an individual partnership association business corporation nonprofit corporation common law trust joint-stock company or any group of individuals however organized

"Pawnbroking" means the business of a pawnbroker as defined in this act

"Pawn Ticket" means the card book receipt or other record furnished to the pledger at the time a loan is granted containing the terms of the contract for a loan

"Applicant" means any individual partnership association business corporation nonprofit corporation common law trust joint-stock company or any group of individuals however organized applying for a license under this act and/or any person appearing as owner partner officer director trustee or other official of a partnership association business corporation nonprofit corporation common law trust joint-stock company or any group of individuals however organized on such application for license under this act

"Municipality" includes a city town borough or township

Section 30 Scope of Act This act shall not affect any existing laws special or general authorizing a charge for the loan of money in excess of interest at the legal rate This act shall not apply to any person persons partnership association or corporation (1) operating under the laws relating to banking institutions building and loan associations credit unions or conducting business under a license issued by the Secretary of Banking of the Commonwealth of Pennsylvania under the provisions of any other statute (2) conducting a business as a storage warehouseman

Section 2 The provisions of this act shall become effective on the first day of October nineteen hundred and forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery.	Wade,
Becker,	Haluska,	Rahausser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland,	Snowden,	Wilson,
Cridder,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 600, as follows:

An Act to amend section three hundred six point one of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determina-

tion of liability and compensation thereunder" by further regulating the payment in second injury cases. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred six point one of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" as added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1186) is hereby amended to read as follows

Section 306.1 If an employe who has incurred (through accident or otherwise) permanent partial disability through the loss or loss of use of one hand one arm one foot one leg or one eye incurs total disability through a subsequent injury causing loss or loss of use of another hand arm foot leg or eye he shall be entitled to additional compensation as follows

After the cessation of payments by the employer for the period of weeks prescribed in Clause (c) hereof for the subsequent injury additional compensation shall be paid during the continuance of total disability at the weekly compensation rate applicable for total disability for the remainder of the five hundred week period provided in Clause (a) hereof This additional compensation shall be paid by the Commonwealth only upon an award by a compensation referee or the board. All claims for such additional compensation shall be forever barred unless the employe shall have filed a petition therefor with the board within one year after the last payment made under Clause (c) hereof out of the general fund in the State Treasury. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated to the Department of Labor and Industry for compensation payable by the Commonwealth under this section for the biennium one thousand nine hundred and forty-five one thousand nine hundred forty-seven

The Department of Labor and Industry shall be charged with the conservation of the assets of said appropriation. In furtherance of this purpose the Attorney General shall appoint a member of his staff to represent the Commonwealth in all proceedings brought to enforce claims against the Commonwealth. In its award the Workmen's Compensation Board of the Department of Labor and Industry shall specifically find the amount the injured employe shall be paid weekly the number of weeks compensation which shall be paid by the employer the date upon which payments out of the State appropriation shall begin and if possible the length of time such payments shall continue all payments to cease upon the death of claimant

Any benefits received by any employe or to which he may be entitled by reason of such increased disability from any State or Federal fund or agency to which said employe has not directly contributed shall be regarded as a credit to any award made against the Commonwealth as aforesaid excepting those benefits received by an employe by reason of service connected injuries incurred during any war between the United States of America and any foreign country

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahauser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,

Chapman,	Holland	Snowden,	Wilson,
Crider,	Homsher	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 616, as follows:

An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering city councils by ordinance to define and penalize disorderly conduct

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding after clause fifty-five thereof a new clause to read as follows

Section 2403 Specific Powers. In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * * *

56 To define disorderly conduct within the limits of the city and to provide for the imposition of penalties for the violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahauser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland	Snowden,	Wilson,
Crider,	Homsher	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 631, on third reading, entitled:

An Act regulating the selling, offering or exposing for sale, of agricultural seeds and seed mixtures for seeding purposes; requiring certain information to be affixed to the container in which such seeds are sold; conferring

powers and imposing duties upon the Department of Agriculture and the Secretary thereof; authorizing stop-sale orders by the Secretary in certain cases; providing for inspections, reports and surveys by the department, imposing powers and duties upon certain courts and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 670, as follows:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in a sinking fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" is hereby amended to read as follows

Section 402 Payment of Moneys into Sinking Fund It shall be the duty of the treasurer of each municipality to deposit into each sinking fund during each fiscal year not less than the portion of taxes collected and moneys received during such year for such sinking fund and to credit to each sinking fund the earnings and other income appertaining thereto But nothing in this section or this act shall be deemed to limit the power of the corporate authorities (a) to appropriate moneys from the general fund for the payment of principal interest or taxes on any bonds through a sinking fund or otherwise or (b) to direct the treasurer or other fiscal officers to pay into a sinking fund the amount required for interest principal taxes or any of them out of any moneys in their hands not irrevocably pledged to any other purpose When the full requirement for debt service on account of any issue of bonds for any year and all prior years has been paid into the sinking fund or otherwise discharged the annual tax of such year levied for and in conjunction with the issue of bonds shall no longer be dedicated to the payment of interest principal and taxes on account of such bonds and need not be deposited in the sinking fund for said bonds anything in this act to the contrary notwithstanding and when any municipality shall have issued bonds for the

purpose of creating a revolving fund under authority of any act of assembly and the money in such revolving fund or any part thereof has been used to pay costs or expenses of making permanent street sidewalk or sewer improvements as provided by law in such cases the moneys assessed and collected from adjoining or abutting property owners may be applied to the credit of the revolving fund where provided by said law to the extent of the moneys paid out of such fund for the aid of such improvements and such moneys collected from said property assessments need not be deposited in the sinking fund for said bonds anything in this act to the contrary notwithstanding

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill have been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,
Becker,
Berger,
Carr,
Chapman,
Crider,
Crowe,
Doehla,
Donlan,
Farrell,

Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Lord,
Mahany,

Mallery,
Rahauser,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Tarr,
Taylor,

Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 680, on third reading, entitled:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 832, as follows:

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation

of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In each county of the second class where the commissioners of said county have heretofore under the provisions of the act to which this is a supplement established the Lot and Block system in the office of the county controller and where the county controller has certified to the commissioners that said system has been completely installed in either the whole of the county or completely installed in one or more municipal subdivisions thereof then the commissioners of said county shall proceed to put said system into effect in the manner hereinafter set forth

Section 2 Immediately upon the receipt of the certification of completion from the county controller the commissioners shall present their petition to the Court of Common Pleas of the county setting forth the establishment of such Lot and Block system the fact of its completion either in the county as a whole or within one or more municipal subdivisions and a brief statement describing the method of operation of the Lot and Block system so established If the court shall determine that the said system has been established in accordance with existing law and has been completed it shall make an order placing the same in effect as of the first Monday of January next succeeding such order

Section 3 The effect of the order of the Court of Common Pleas shall be as follows

(a) The district assessors appointed by the Board of Property Assessment Appeals and Review whose assessments are being made within the municipal subdivisions that have had the Lot and Block system completed therein shall immediately proceed to correct their original books of assessment by adding thereto the Lot and Block system descriptive numbers

(b) The Board of Property Assessment Appeals and Review shall as to assessments already in its hands which assessments are within municipal subdivisions covered by said order or orders of court correct such assessments by adding thereto the Lot and Block system descriptive numbers

(c) The recorder of deeds shall not receive for recording any deed mortgage or other instrument that shall refer to a specific parcel of real estate unless said deed mortgage or other instrument shall bear the certification by the custodian of the Lot and Block system that the Lot and Block system descriptive numbers incorporated in the description of the real estate described therein are correct

(d) The treasurer or tax collector of each city borough town township or school district where the Lot and Block system has been completed under the order of court referred to in section two of this supplement shall place upon each tax bill sent out and upon each tax receipt issued upon payment the Lot and Block system descriptive numbers

(e) The county controller in the case of the county and the treasurer tax collector or solicitor as the case may be in each city borough town township or school district within which the Lot and Block system has been completed shall at the time of filing liens for unpaid taxes with the prothonotary set forth on such liens the

individual Lot and Block system descriptive numbers and the prothonotary shall not receive and file such liens unless the said descriptive numbers are contained thereon

(f) For the purposes of the sale of real estate for delinquent taxes either by the sheriff of the county or by the commissioners and treasurer of the county or by the treasurer of any city the Lot and Block system descriptive numbers are hereby declared to be sufficient description for the advertising preceding such sale for the oral description read at such sale prior to receiving bids and for the purposes of the description to be inserted in any tax deed to be given to the purchaser at such sale

Section 4 All acts or parts not consistent herewith are hereby repealed

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahausser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Heyburn,	Scarlett,	Watson,
Chapman,	Holland,	Snowden,	Wilson,
Crider,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL NO. 557 CALLED UP

Mr. BARR. Mr. President, I would like to call up, from page 1 of today's Calendar, Senate Bill No. 557, for consideration at this time.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 557

Mr. BARR. Mr. President, I move that the Senate con-

cur in the amendments made by the House to Senate Bill No. 557.

Mr. BECKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,	Geltz,	Mallery,	Wade,
Becker,	Haluska,	Rahouser,	Wagner,
Berger,	Hare,	Ruth,	Walker,
Carr,	Holland,	Scarlett,	Watson,
Chapman,	Heyburn,	Snowden,	Wilson,
Crider,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Tarr,	Wood, T. N.,
Donlan,	Lord,	Taylor,	Woodring,
Farrell,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeding to the second reading and consideration of House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeding to the second reading and consideration of House Bill No. 19, entitled:

An Act to amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men and to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeding to the second reading and consideration of House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeding to the second reading and consideration of House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organizations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 24, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of House Bill No. 25, entitled:

An Act to further amend section one of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of House Bill No. 26, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth", prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 56, on second reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 57, on second reading, entitled:

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 100, on second reading, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 166, on second reading, entitled:

An Act to amend section one thousand two hundred nine point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing additional temporary salary increases and the appropriation use and temporary loans therefor and validating such increases heretofore made.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensd with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts

providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representation of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 233, entitled:

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 272, entitled:

An Act to further amend section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the period before which temporary professional employes may become professional employes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lock-out providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 285, on second reading, entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 336, entitled:

An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records

are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further changing the provisions of the act relating to the titling of commercial motor vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 359, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the word "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by further defining the term "pharmacy" and further regulating the registration of certain persons.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Liquor Labor Relations Board conferring powers

and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 376, entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collection of tolls for the use of such bridges and repealing certain acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 428, entitled:

An Act to amend sections two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 439, entitled:

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion

engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. The President, I ask unanimous consent that House Bill No. 445, on second reading, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof that are or may be inconsistent therewith," requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 461, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by allowing State airports to be leased for periods not to exceed five years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 465, entitled:

An Act to add section five hundred twenty-six to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the purchase maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission for official use and for the payment of charges therefor into the Motor License Fund and appropriating the same to the Pennsylvania Aeronautics Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend clause (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen

justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of motor buses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 513, entitled:

An Act to further amend section one hundred thirty-three clauses (b) and (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating plans to merge and the merger of school districts transportation and routes and contracts pertaining thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 546, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing

duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals the record of magistrates and the disposition of certain fines and penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 555, entitled:

An Act to add section one thousand two hundred sixty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent herewith" prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 574, entitled:

An Act to amend section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 581, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 586, on second reading, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 588, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 589, entitled:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 598, entitled:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 603, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on second reading, entitled:

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 626, entitled:

An Act to amend section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating hereto" by changing the procedure relating to changes made by the Secretary in boroughs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 633, on second reading, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 645, entitled:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years or age or over in public bowling alleys

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend sec. 1 (sec. 5), page 4, line 16, by striking out the words "nor in a public bowling alley"; Amend sec. 1 (sec. 5), page 5, line 16, by striking out the bracket before the word "nor" where it appears the first time and after the word "alley"; Amend sec. 1 (sec. 5), page 5, line 17, by adding after the word "room" the following: "Provided, That male minors sixteen years of age and over may be employed and permitted to work in a public bowling alley."

They were agreed to.
 The section was agreed to as amended.
 The second section and title were read and agreed to.
 And said bill having been read at length the second time, as amended,
 On the question,
 Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that House Bill No. 645, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,
 The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.
 The Senate proceeded to the second reading and consideration of House Bill No. 652, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article IX of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by regulating the use of posters comparable to those used by the Game Commission and providing penalties

The first section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. BERGER offered the following amendments:
 Amend Sec. 1, page 2, by inserting between lines 6 and 7 the following "Section 942. Protective Measures.— * * * *"; Amend Sec. 1, page 2, line 18, by striking out the words "unless the wording and style"; Amend Sec. 1, page 3, lines 1 and 2, by striking out all of line 1, and the words "the Commission" in line 2.

They were agreed to.
 The section was agreed to as amended.
 The second section was read.
 On the question,
 Will the Senate agree to the section?
 Mr. BERGER offered the following amendments:
 Amend Sec. 2, page 3, by inserting between lines 7 and 8 the following "Section 943. Penalties.— * * * *"; Amend Sec. 2, page 3, line 9, by inserting brackets before and after the figure "\$10.00" and inserting immediately thereafter the figure "\$10"; Amend Sec. 2, page 3, line 10, by striking out the word "poster" and inserting in lieu thereof "offense".

They were agreed to.
 The section was agreed to as amended.
 The title was read and agreed to.
 And said bill having been read at length the second time, as amended,
 On the question,
 Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. BERGER. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 670, on second reading, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 676, on second reading, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 684, on second reading, entitled:

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the employment of supervising principals

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 696, entitled:

An Act to further amend section eight hundred twenty-eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" temporarily extending the suspension of the provisions thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 707, on second reading, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 727, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 738, entitled:

An Act to further amend subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of a duplicate certificate of title

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 754, entitled:

An Act to further amend sections three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the employee's retirement fund and the retirement age of new employees extending the power of the retirement board in investing the money of the retirement fund decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriations.

The first and second sections were read and agreed to.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendment:

Amend Sec. 3, (Sec. 320), page 6, by inserting between lines 16 and 17, the following:

"(c) Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war or national emergency so proclaimed by the President of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county."

It was agreed to.

The section was agreed to as amended.

The fourth, fifth, sixth and seventh sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MAHANY offered the following amendment:

Amend title, page 2, last line of title by inserting after the word "appropriations" the following: "and in certain cases giving employes of such counties credit for time spent in military service."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 768, on second reading, entitled:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 898, on second reading, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1008, entitled:

An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" empowering boards of township commissioners to establish land subdivision regulating

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1066, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1109, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by further providing for the classification, registration and regulation of tractors and the licensing of their operators.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1178 on second reading, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain condition to appropriate money to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highway public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 193, entitled:

An Act relating to judgments; providing for the lien thereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 344, entitled:

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which the boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" changing compensation of board members

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 518, entitled:

An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedent rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 533, entitled:

An Act to further amend section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" authorizing conveyances of real estate by married woman to her husband or to her husband and herself jointly without joinder of her husband.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 534, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entireties and validating certain transactions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 630, entitled:

An Act to amend section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled "An act authorizing a married woman to make conveyance of real estate to her husband and validating all such conveyances heretofore made" authorizing conveyances of real estate of a married woman to her husband and herself jointly as if she were a feme solo.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 689, entitled:

An Act to further amend the act approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith, and modifying existing legislation which provided for raising revenue for State purposes," by providing further for the assessment, collection and lien of the tax, granting certain enforcement and investigatory powers to taxing authorities, and imposing duties on certain county officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 690, entitled:

An Act relating to costs in desertion and non-support cases; placing said costs upon defendants, and imposing duties upon courts and certain county officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 691, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases; placing said costs upon defendants, and imposing duties upon courts and certain county officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 725, entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries; and by further providing for additional investments for trust funds by fiduciaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 734, entitled:

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 487, entitled:

An Act to add subsection three point one to section eight of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law" by further providing for certain Commonwealth contributions to the fund.

House Bill No. 586, entitled:

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful providing penalties and repealing existing laws.

House Bill No. 838, entitled:

An Act to further amend the definition of "Extension Education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education".

House Bill No. 1148, entitled:

An Act to further amend section one thousand four of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 624), entitled "Banking Code," further regulating the pledge of assets for deposits.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. HEYBURN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN read in place and presented to the Chair Senate Bill No. 756, entitled:

An Act to amend sections two hundred one and six hundred one point one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis, requiring

employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons, providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation, providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," by authorizing the department of Labor and Industry through the Secretary of Property and Supplies, with the approval of the Governor to acquire by purchase or condemnation land with or without buildings, to erect buildings, to enter into contracts with persons firms or corporations for the erection of buildings and for the leasing of such buildings to the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease, to lease land acquired under the provisions of this act to persons firms or corporations for the purpose of erecting buildings thereon, and to acquire through purchase or lease facilities fixtures equipment and such other appurtenances as may be deemed necessary; providing that land and buildings acquired hereunder shall be exempt from taxation.

Which was committed to the Committee on State Government.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, May 19, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:02 o'clock, p. m., Eastern Standard Time until Monday, May 19, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 15, 1947

The House met at 10:00 a. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

To Thee we turn, O Lord, with confidence and assurance. Let Thy hand of blessing and approval be upon us. May we never be so bound by the present as to be unmindful of the eternal. Help our purposes and plans to develop into new deeds, and may Thy blessed Holy Spirit give direction to the whole day. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 14, 1947.

The Clerk proceeded to read the Journal of Wednesday, May 14, 1947, when, on motion of Mr. BRICE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. PROPERT. HOUSE BILL No. 1337.

An Act to further amend sections one and three, and to add section four to the act, approved the seventh day of May, one thousand nine hundred twenty-seven (P. L.

859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," further providing for determination of the estates subject to the Pennsylvania Estate Tax, the computation thereof, and the collection of interest upon tax not paid when due; and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate.

Referred to the Committee on Ways and Means.

By Messrs. FLACK and WESCOTT.

HOUSE BILL No. 1338.

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies, except in cities where dog license fees are paid into the city treasury.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 26.

An Act to further amend section thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one, (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, County, city, borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 253.

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise, and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise.

Referred to the Committee on Judiciary.

SENATE BILL No. 358.

An Act providing for and regulating the authority of school districts to purchase supplies and to perform or contract for construction reconstruction repairs and work of any nature.

Referred to the Committee on Education.

SENATE BILL No. 545.

An Act to further amend the act approved the fourth day of April one thousand nine hundred twenty-five (P. L. 127) entitled "An act relating to Adoption" further providing for the jurisdiction of adoption proceedings the contents of petitions necessary consents hearings and decrees and validating certain adoptions.

Referred to the Committee on Judiciary.

SENATE BILL No. 637.

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for co-operation with the Department of Agriculture and other State agencies and requiring certain reports.

Referred to the Committee on Agriculture and Dairy Industries.

SENATE BILL No. 674.

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

Referred to the Committee on Judiciary.

SENATE BILL No. 675.

An Act validating County Treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

Referred to the Committee on Judiciary.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. LAYER. (Concurrent) RESOLUTION No. 50.

In the House of Representatives, May 14, 1947.

Recently, United States Senator Edward Martin was called from the floor of the Senate to meet a delegation of Pennsylvania Communists attending that party's veterans' convention. Since they were Pennsylvanians, Senator Martin heard what they had to say.

At the same time, the Senator impressed upon this group his beliefs as to certain of their activities.

Emphatically, he stated that he would at no time discuss the welfare of American veterans with any group upholding or representing the communistic philosophy, and that he would seek advice concerning veterans' needs only from recognized veterans' organizations and patriotic unaffiliated groups.

In short, Senator Martin condemned the use of the uniform or veteran status as a cloak behind which to advance communistic ideas in the guise of aid to veterans, and inferentially pointed out the infiltration tactics used as a common weapon by communists; therefore be it

Resolved, (if the Senate concur), That the General Assembly of Pennsylvania commends and congratulates Senator Edward Martin for the forthright stand he has taken on the above occasion, and at every other opportunity, against a threat to our country, every citizen, and

every veteran must always counter and thrust back, regardless of the attractive form in which it is presented; and be it further

Resolved, That copies of this resolution be sent to United States Senators Edward Martin and Francis Myers, and to each member of the Pennsylvania delegation in the House of Representatives of the Congress of the United States.

Referred to the Committee on Rules.

By Mr. HENRY. RESOLUTION No. 51.

In the House of Representatives, May 14, 1947.

Whereas, The motives of the British Government in submitting the Palestine issue to the United Nations have been laid open to question by the public admission of British official spokesmen that Great Britain will not be bound to accept the United Nation's recommendations on Palestine; and

Whereas, By its refusal to implement the Anglo-American Committee of Inquiry's unanimous recommendation that 100,000 homeless Jews be admitted into Palestine immediately—despite the assurance of British Foreign Secretary Bevin that unanimous recommendations would be acted upon without delay—the British Government has demonstrated that it will accept the decisions of international bodies only when such decisions harmonize with Britain's present illegal policy on Palestine; and

Whereas, The British Government's action in referring the question of Palestine to the United Nations is, therefore, the latest in a long series of delaying tactics, designed to evade Great Britain's clear obligations under the terms of the Balfour Declaration and the Mandate for Palestine; and

Whereas, The British Government is today enforcing the 1939 White Paper policy, declared illegal by the Permanent Mandates Commission of the League of Nations and condemned by men of good will in every land; and

Whereas, That policy has produced indescribable suffering and hardship for the homeless Jewish victims of Nazi persecution who still wait for deliverance in the Displaced Persons' Camps of Europe, and has also converted the Jewish National Home into an armed camp where the British Administration imposes totalitarian measures of repression against the entire Jewish community; and

Whereas, The mass deportation to Cyprus of homeless Jews seeking to reach their internationally-guaranteed Homeland is a flagrant violation of every moral concept of the democratic world; and

Whereas, The Government and people of the United States of America, through the passage of Resolutions in both Houses of Congress, through planks in the platforms of both major political parties, and through declarations of the Presidents of the United States, are committed to the policy laid down by the framers of the Palestine Mandate; free Jewish immigration into Palestine so that the Jewish people may reconstitute that country as a free and democratic Jewish commonwealth; and

Whereas, The Jewish people throughout the world, together with millions of American citizens of all races and creeds, now look to the United States to demonstrate that it is resolved to uphold the Palestine policy which it has pledged to support, and thus bring justice to long-suffering and tragically persecuted people; and

Whereas, Such a stand by the United States would nullify the British Government's current attempt to employ the United Nations as a delaying device and to seek international sanction for its present illegal policy on Palestine; therefore be it

Resolved, That we respectfully call upon the President of the United States to take all necessary steps to insure that during the forthcoming special session of the General Assembly of the United Nations the delegate of the United States shall advocate the program for Palestine which our country has reaffirmed time and again; and be it further

Resolved, That we call upon the President of the

United States to bring the great weight of the United States Government to bear on the Mandatory Government to the end that pending a final settlement of the Palestine issue by the United Nations, an interim policy based upon the terms of the existing Mandate for Palestine be set into motion at once—a policy providing for immediate large-scale Jewish immigration into Palestine and the removal forthwith of the discriminatory land restrictions in the Jewish National Home; and be it further

Resolved, That copies of this Resolution go forward to the President of the United States, the Secretary of State, the Under Secretary of State, the American Delegate to the General Assembly of the United Nations, and members of both Houses of the Congress of the United States.

Referred to the Committee on Rules.

By Mr. McCULLOUGH. RESOLUTION No. 52

In the House of Representatives, May 13, 1947.

Whereas, There is considerable real property located in the various political subdivisions of this Commonwealth which under the existing Constitution and laws thereof has been exempt by the General Assembly from taxation; and such exemption has resulted in a loss not only of revenue to the various political subdivisions and school districts therein, but also has created hardships and difficulties relative to the meeting by such political subdivisions and school districts of their obligations and other duties; therefore be it

Resolved, That the Joint State Government Commission is hereby directed to study, investigate and devise ways and means of solving the problems relating to tax exempt property in general and more specifically with reference to the effect of such exemptions on revenues of the various school districts; and be it further

Resolved, That the Joint State Government Commission shall report its findings and conclusions to the next regular session of the General Assembly together with such proposed legislation as it may devise to carry out its recommendations.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 3, 1947.

Whereas, The Mental Health Act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), and its amendments, and other laws relating to the subject, contain numerous inconsistencies and should be carefully studied, revised, and codified in order to make them effective for their intended purposes; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to survey, investigate, and consider all of the laws relating to mental health, and to revise and restate completely such mental health laws in codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the mental health laws to be introduced at the next regular session of the General Assembly.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 538 AND 875

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 15, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 538, Printer's No. 74, entitled "An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising mending and consolidating the laws relating thereto' creating a County Transit and Traffic Commission in counties of the second class providing for its membership and defining its powers and duties."

JAMES H. DUFF.

May 15, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 875, Printer's No. 521, entitled "An Act to further amend section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 680) entitled 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the first class and imposing fines penalties and forfeitures for violation thereof' by exempting therefrom the construction of sewers and water lines."

JAMES H. DUFF.

ACAPELLA CHOIR OF CORRY HIGH SCHOOL WELCOMED

The SPEAKER. The Chair at this time would like to introduce the Acapella Choir of Corry High School, Corry, Pennsylvania, under the direction of Mr. and Mrs. H. Lynn Rice. They are here today as the guests of the Mr. Waterhouse of Erie County.

The Chair is very pleased to state to the Members that the group has consented to sing two or three numbers for the Members and guests of the House this morning.

(The Choir sang several numbers.)

The SPEAKER. The Chair thanks the Acapella Choir of Corry High School for the splendid rendition of these particular numbers in the Hall of the House this morning. We hope that sometime in the near future they can come back and visit with us again.

Mr. LAYER. Mr. Speaker, I was wondering if we couldn't invite the Choir back on Monday to have them sing again for the gentleman from Delaware, Mr. Turner, particularly the last number.

The SPEAKER. The Chair understands that there are a few Bourbons among the gentlemen of the House.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is very pleased to notice in the Hall of the House a former member from Westmoreland County who served in 1911, the Honorable Merrian A. Shoemaker.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Building Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War II temporary emergency housing accommodations empowering them to acquire by purchase gift or eminent domain certain dwelling and other structures providing for their organization and the exercise of their powers and duties including the borrowing of money issuing bonds and other obligations the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement

system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" increasing the maximum size of the State Police Force

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 795, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examination at the end of such period and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 975, entitled:

An Act to amend clauses (c) and (g) of section three hundred one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" further regulating compensation for occupational disease and liability therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State normal schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers, and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and

officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section seven hundred nineteen and section one thousand seven hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the re-settlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing remedies for violations thereof and imposing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased mem-

bers to the wife or husband or legal representative of such deceased member.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the the administrative departments boards commissions and Commonwealth by the Executive Department thereof and officers thereof including the board of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by further defining the duties of the Department of Property and Supplies regarding State institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 314, entitled:

An Act to further amend section seven of the act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas; and providing for the installation of flood forecasting and warning systems.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 316, entitled:

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications, to construct and maintain dams, reservoirs, lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas; to acquire by purchase, condemnation or otherwise certain lands for such purposes; to construct and maintain flood forecasting and warning systems.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain

employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes to provide the time of paying the same and to repeal all acts inconsistent herewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 601, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COOPER offered the following amendment:

Amend Sec. 1 (Sec. 1), page 3, line 8, by inserting after the word "affected" the following:

Provided, That where an instrument affects property in more than one ward, city, borough, town or township and the space on the index is insufficient to permit the writing of the locality of each property affected, the name of the county alone shall be full compliance with this act.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1311, entitled:

An Act regulating the practice of the profession of forestry in all of its branches including timber estimating and defining such branches providing for the registration of certain persons practicing or offering to practice said profession creating and conferring certain powers and imposing certain duties upon the State Registration Board for Professional Foresters the Department of Public Instruction and the court of common pleas of Dauphin County and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendment:

Amend sec. 1, page 4, line 11, by striking out the words "Public Instruction" and inserting in lieu thereof "Forests and Waters."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend sec. 2, page 4, line 13, by striking out the words "Public Instruction" and inserting in lieu thereof "Forests and Waters."

Amend sec. 2, page 4, line 16, by striking out the word "to"

Amend sec. 2, page 4, line 16, by inserting after the word "foresters" the following "composed."

Amend sec. 2, page 4, line 17, by striking out the word "which"

Amend sec. 2, page 4, line 17, by inserting after the word "Waters" the following "who."

Amend sec. 2, page 4, lines 17, 18 and 19, by striking out the word "and" in line 17, and all of lines 18 and 19.

Amend sec. 2, page 3, lines 1 to 4, by striking out all of lines 1, 2 and 3, and the words "five years" in line 4, and inserting in lieu thereof "the Secretary of the State Forest Commission who shall be secretary, and three other members, residents of Pennsylvania, who shall be professional foresters actively engaged in forestry work, and who shall hold office for terms of five

years each. A majority of the board shall constitute a quorum."

It was agreed to.

The section was agreed to as amended.

The third to fifteenth sections inclusive were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS offered the following amendments:

Amend title, page 1, 3rd from last line of title, by inserting after the word "Foresters" the following "in."

Amend title, page 1, last 2 lines of title, by striking out all of said lines, and inserting in lieu thereof "Forests and Waters; providing appeals and fixing penalties."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1332, entitled:

An Act to establish in cities of the first class a house of detention for delinquent dependents and neglected children up to eighteen years of age and providing for the management and the maintenance thereof.

The first section was read.

On the question,

Will the House agree to the section?

Mrs. McCOSKER offered the following amendment:

Amend Sec. 1, page 2, line 1, by striking out the words "and including"

It was agreed to.

The section was agreed to as amended.

The second to eighth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 78, Printer's No. 338,

Senate Bill No. 241, Printer's No. 76,

Senate Bill No. 246, Printer's No. 83,

Senate Bill No. 334, Printer's No. 250 and

Senate Bill No. 338, Printer's No. 98

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 356, entitled:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are

or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185,
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful to disturb or tamper with traps set by agents of the Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection,

House Bill No. 1040, Printer's No. 602
was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 544, as follows:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing special education for children afflicted with cerebral palsy in school districts other than in cities of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section one thousand four hundred thirteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 512) is hereby further amended to read as follows

Section 1413

* * * * *

On or before the first day of November of each year the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children is provided shall make such reports as may be required by the Department of Public Instruction in regard to such special education being maintained for the current school year for which the approval of the State Council of Education is desired. When any child between the ages of six (6) and twenty-one (21) years of age resident in this Commonwealth who is blind or deaf or afflicted with cerebral palsy is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf or cerebral palsied under the supervision of or approved by the Department of Public Instruction the school district in which such child is resident shall pay twenty-five per centum (25%) of the cost of tuition and maintenance of such child in such school or institution as determined by the Department of Public Instruction and for the tuition and maintenance of such children the Commonwealth shall pay out of funds appropriated to the department for special education seventy-five (75%) of the cost of their tuition and maintenance as determined by the department. Provided That the Commonwealth shall pay out of moneys appropriated to the department for special education the cost of tuition and maintenance of any child between the ages of six (6) and twenty (21) years of age who is blind or deaf or afflicted with cerebral palsy and is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf or cerebral palsied under the supervision of or approved by the Department of Public Instruction if the residence of such child in a particular school district in the Commonwealth cannot be determined. When any person less than six (6) or more than twenty-one (21) years of age resident in this Commonwealth who is blind or deaf or afflicted with cerebral palsy is enrolled with the approval of the Department of Public Instruction as a pupil in any of the schools or institutions for the blind or deaf or cerebral palsied under the supervision of or approved by the Department of Public Instruction the Commonwealth shall pay to such school or institution out of moneys appropriated to the department for special education the cost of tuition and maintenance of such person as determined by the Department of Public Instruction. To facilitate payments by the several school districts to the schools or institutions in which deaf or blind or cerebral palsied children are enrolled of amounts due by such districts for their proportion of the cost of tuition and maintenance of such children the Superintendent of Public Instruction shall withhold from any moneys due to such districts out of any State appropriation for the assistance as reimbursement of school districts the amounts due by such districts to such schools or institutions for the blind or the deaf or the cerebral palsied and amounts so withheld shall be paid to such schools or institutions by warrant of the Auditor General upon the State Treasurer after requisition of the Superintendent

of Public Instruction for which purpose all amounts so withheld are hereby specifically appropriated to the Department of Public Instruction Payments of the Commonwealth's proportion of the cost of tuition and maintenance of blind or deaf or cerebral palsied pupils enrolled in schools or institutions for the blind or for the deaf or for the cerebral palsied as hereinbefore provided shall be made quarterly out of moneys appropriated to the Department of Public Instruction for special education by warrant of the Auditor General upon the State Treasurer after requisition by the Superintendent of Public Instruction to determine from time to time what amounts are due to schools for the blind or for the deaf or for the cerebral palsied hereunder such schools shall forward to the department at such times and in such form as the department shall prescribe sworn statements setting forth the names ages and residences of all pupils enrolled hereunder specifying the school districts liable for a part of the cost of tuition and maintenance of any such pupils the per capita cost of and maintenance of pupils and such other information as the department shall require Provided That the revisions of this paragraph relative to special education for children afflicted with cerebral palsy shall not apply to school districts in cities of the first class

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

- Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,
Beech,
Bender,
Bentzel,
Bloom,
Boies,
Bonawitz,
Boorse,
Bower,
Breisch,
Brice,
Brown,
Brunner,
Cadwalader,
Capano,
Cassidy,
Chudoff,
Clevenger,
Cochran,
Cole,
Cook,
Cooper,
Cordier,
Costa,
Crowley,
Dague,
Dalrymple,
Davison,
De Long,
Demech,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Eider,
Erb,
Ewing,
Feola,
Fish,

Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,
Greer,
Griffiths,
Guthrie,
Gyger,
Hall,
Haller,
Haudenschild,
Helm,
Henry,
Hewitt,
Hocker,
Hoopes,
Horan,
Imbt,
Jennings,
Johnson,
Johnston,
Jump,
Kean,
Kelley,
Kemp,
Kent,
Kirley,
Kilne,
Kohl,
Kratz,
Krlse,
Kurtz,
Laughner,
Layer,
Lee,
Leisey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,

McCullough,
McDonald,
McKinney,
McMillen,
Mihm,
Mikula,
Miller,
Mills,
Mintess,
Mohr,
Mooney,
Moore, C. E.,
Moore, H. A.,
Morrison,
Murray,
Myers,
Najaka,
Naumann,
Needham,
Neff,
Nelson,
O'Dare,
O'Donnell,
O'Neill,
Orban,
Patten,
Petrosky,
Pichney,
Pickens,
Polaski,
Powers,
Price,
Propert,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,

Scanlon,
Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, C. C.,
Smith, C. M.,
Snider,
Sollenberger,
Sorg,
Sproul,
Stank,
Stimmel,
Stockham,
Stonier,
Stuart,
Swope,
Tahl,
Thomassy,
Thompson,
Tittle,
Tompkins,
Toomey,
Upshur,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Weldner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,

- Fiss,
Flack,

Foor,
Frost,
Gallagher,

Madden,
Madigan,

Mazza,
McCormack,
McCosker,

Rowen,
Royer,

Sarraf,
Sax,

Yester,
Yetzer,

Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—11

- Bucchin,
Chervenak,
Evans,

Fleming,
Hoffman,
Jones,

O'Connor,
Ragot,
Rose,

Trout,
Turner,

The majority required by the Constitution having voted in the firmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection
House Bill No. 800, Printer's No. 553,
House Bill No. 852, Printer's No. 581,
House Bill No. 853, Printer's No. 582,
House Bill No. 855, Printer's No. 489 and
House Bill No. 1039, Printer's No. 396
were passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1100, as follows:

An Act directing the county commissioners of each county (except counties of the first class) to prepare certify and deliver to the Department of Public Instruction at stated intervals a certified list of all real estate conveyances or transfers within such county stating the value of Federal tax stamps affixed to the deed for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Public Instruction for such lists and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania here enacts as follows

Section 1 It shall be the duty of the county commissioners of each county (except counties of the first class) on the fifteenth day of each month to prepare certify and deliver to the Department of Public Instruction for its use and in such form and manner as the department may prescribe a list of all conveyances or other transfers of real estate or any interest therein recorded within the county during the preceding month stating the value of the Federal tax stamps affixed to the deed for each such conveyances or transfer as set forth within such instrument and the assessed valuation for county tax purposes of such real estate Pursuant to the requirements of this section the recorder of deeds of each county (except counties of the first class) shall prepare and deliver to the county commissioners at the end of each month a list of all the real estate so conveyed or transferred stating the value of Federal tax stamps affixed to the instrument so conveying or transferring such real estate or any interest therein

Section 2 The Department of Public Instruction shall pay to the county commissioner of each county the sum of ten cents (10c) for each such conveyance or transfer of real estate on each list so prepared certified and delivered to the department for its use.

Section 3 The sum of one hundred thousand dollars (\$100,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of paying the county commissioners of each county for the prepara-

tion certification and delivery of the lists of real estate conveyances or transfers as required by the provisions of this act and for the administrative costs involved in obtaining the information and preparing it for use

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Aaronson,	Getchey,	McCullough,	Scanlon,
Andrews,	Gibson,	McDonald,	Schuster,
Bane,	Goff,	McKinney,	Scott,
Barrett,	Goodling,	McMillen,	Serrill,
Baumunk,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Miller,	Smith, C. C.,
Bentzel,	Greer,	Mills,	Smith, C. M.,
Bloom,	Griffiths,	Mintess,	Snider,
Boles,	Guthrie,	Mohr,	Sollenberger,
Bonawitz,	Gyger,	Mooney,	Sorg,
Boorse,	Hall,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenschild,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Dare,	Tittle,
Cochran,	Johnson,	O'Donnell,	Tompkins,
Cole,	Johnston,	O'Neill,	Toomey,
Cook,	Jump,	Orban,	Upshur,
Cooper,	Kean,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kemp,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Dague,	Kirley,	Polaski,	Waldron,
Dalrymple,	Kilne,	Powers,	Wallin,
Davison,	Kohl,	Price,	Walton,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krlse,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Welsh,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Leisey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lovett,	Robertson,	Worley,
Fish,	Lyons,	Root,	Yeakel,
Fliss,	Madden,	Rowen,	Yester,
Flack,	Madigan,	Royer,	Yetzer,
Foor,	Mazza,	Sarraf,	Young,
Frost,	McCormack,	Sax,	Lichtenwalter,
Gallagher,	McCosker,		Speaker.

NAYS—0

NOT VOTING—11

Bucchin,	Fleming,	O'Connor,	Trout,
Chervenak,	Hoffman,	Ragot,	Turner,
Evans,	Jones,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 152, Printer's No. 245,

Senate Bill No. 318, Printer's No. 81 and

Senate Bill No. 478, Printer's No. 244

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 601, as follows:

An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" by further regulating barrier pillars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the tenth day of April one thousand nine hundred twenty-nine (P. L. 472) is hereby further amended to read as follows

Section 5 The superintendent shall not permit the mining of coal within fifty feet of any abandoned mine or a abandoned portion of any mine containing a dangerous accumulation of water until said danger has been removed by driving a passageway to tap and drain off said water as provided for in this act The superintendent shall not permit the mining of coal in any seam the entire distance to a property boundary line (not including boundaries around reservations or along crop lines) [when on the adjoining property there are mine workings in said seam within three thousand feet of said boundary line] but shall leave a barrier pillar from the operation to the property boundary line of not less than ten feet plus two feet for every foot or part of a foot of thickness of the bed measured from the roof to the floor plus five feet for each one hundred feet or part of one hundred feet of cover over the bed at the boundary line and where the coal on one side of the property boundary line shall have been mined prior to the passage of this act closer to the property boundary line than hereinbefore permitted the barrier pillar to be left in the mine approaching the boundary line shall be at least equal (when added to the already left in the adjoining mine) to that hereinbefore required on both sides of said property boundary line. Provided That if in the opinion of the district mine inspector or the superintendent of either mining property the barrier pillar as hereinbefore required is deemed insufficient then after due notice to the operator or operators of the mining property adjoining a barrier pillar of unmined coal (one-half of which shall be on each side of the property boundary line except as provided above in this section) shall be left of such thickness as in the judgment of the district mine inspector and the superintendent or owner of either mining property is deemed necessary to afford safety and protection. And provided further That if it shall be agreed by the district mine inspector and superintendents of such adjoining coal mining properties that such property boundary line is so located that there is no danger to property or lives in mining coal on either or both sides of the property boundary line up to said property boundary line then in such cases mining to the property boundary line shall be lawful if all danger from accumulated water and gas shall have first been removed by driving a passageway to tap and drain off any accumulations of water and gas as provided for in this act. Provided That if any of the parties in interest fail to agree on the carrying out of any of the provisions of this act any one of said parties may appeal to the Secretary of Mines who shall appoint three reputable and competent

ining engineers who shall constitute a commission whose duty it shall be to investigate the conditions and determine the necessity for leaving barrier pillars or barrier pillar of greater thickness than is provided for in this act or the adequacy of an existing pillar to withstand a water head; the case may be and the decision of said commission by a majority of its members shall be final and conclusive and binding on all parties concerned. The members of the said commission shall be compensated for their services by the property owners in an amount to be fixed by the Secretary of Mines. Before any such appeal to the Secretary of Mines is taken notice thereof in writing shall be served personally or by registered mail on the opposite party setting forth the date when such appeal shall be taken and proof of the service of such notice shall be filed with the appeal.

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Aaronson,	Getchey,	McCullough,	Scanlon,
Andrews,	Gibson,	McDonald,	Schuster,
Bane,	Goff,	McKinney,	Scott,
Barrett,	Goodling,	McMillen,	Serrill,
Baumunk,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Mills,	Smith, C. C.,
Bentzel,	Greer,	Miller,	Smith, C. M.,
Bloom,	Griffiths,	Mintess,	Snider,
Boles,	Guthrie,	Mohr,	Sollenberger,
Bonawitz,	Gyger,	Mooney,	Sorg,
Borse,	Hall,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, J. A.,	Stank,
Breisch,	Haudenschild,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Budwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Dare,	Tittle,
Coehran,	Johnson,	O'Donnell,	Tompkins,
Cole,	Johnston,	O'Neill,	Toomey,
Cook,	Jump,	Orban,	Upshur,
Cooper,	Kean,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kemp,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Cague,	Kirley,	Polaski,	Waldron,
Cairymple,	Kline,	Powers,	Wallin,
Davison,	Kohl,	Price,	Walton,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reese, D. P.,	Watson,
Depuy,	Laughner,	Reese, R. E.,	Weldner,
Dix,	Layer,	Reilly, J. M.,	Wells,
Dye,	Lee,	Reilly, W. J.,	Wescott,
Eisenberg,	Leisey,	Richter,	West,
Edick,	Livingston,	Riley,	Wheeler,
Erb,	Livingstone,	Robbins,	Wolf,
Ewing,	Loftus,	Robertson,	Wood,
Feola,	Lovett,	Reagan,	Worley,
Fish,	Lyons,	Root,	Yeakel,
Fiss,	Madden,	Rowen,	Yester,
Flack,	Madigan,	Royer,	Yetzer,
For,	Mazza,	Sarra,	Young,
Frast,	McCormack,	Sax,	Lichtenwalter,
Gallagher,	McCosker,		Speaker.

NAYS—0

NOT VOTING—11

Bucchin,	Fleming,	O'Connor,	Trout,
Chervnak,	Hoffman,	Ragot,	Turner,
Evans,	Jones,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. WATKINS asked and obtained permission for the Committee on State Government to meet during the session of the House.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, the current biennium ends in approximately fifteen days. The budget submitted to the General Assembly on March 11 of this year by the Governor was at least in part affected by collections made by the Commonwealth up to January 1st of this year. The Governor's budget was also affected by estimates of the collections to be made by the Commonwealth during the first five months of this year, the last five months of the biennium.

It is now possible, Members of the House, to compare budget estimates of receipts during the present biennium with the amounts actually collected or to be collected. What do the figures show? Have the collections exceeded the budget estimates, and if so in what amounts?

Mr. Speaker, I consider that a very important matter, in view of the financial problems that the State is facing. Have the budget estimates as to collections stood up? Have collections fallen below the estimates on which the Governor's budget this year was based, or has it been exceeded?

Obviously the excess will be, if any, in the general fund subject for use. We ought to have in addition all of the money in all of the accounts subject to reappropriation. This House cannot handle intelligently the problems that it is facing unless it has, first, the estimate of receipts during the coming biennium, and second, how much money at the end of this biennium will be available for reappropriation.

As I say, it is now possible at this period of the State's biennium to determine those figures. Now, this House was assured yesterday that the Administration would make a statement in which it would definitely outline its educational program. The statement was made initially to the press. After the gentlemen of the press had had the opportunity to peruse it and publicize it, the Members of this House were acquainted with the details as to the extent to which His Excellency the Governor had administered an executive spanking.

Now, using whatever authoritative data which he has in mind, will the Majority Leader during the coming week inform this House concerning the teachers' mandated salary schedules which the Governor favors, quoting actual figures.

I fail to find that even in the message or the statement which has been filed with this House. If the Governor doesn't like the schedule of figures covered by House Bill No. 417, what schedule of figures does he

favor? If twenty-four hundred dollars is too high what is right in the opinion of His Excellency the Governor? Is it two thousand, is it eighteen, is it twenty-two, or is it fourteen? This House has a right to know what the Governor actually favors since he has gone to considerable length to inform the people of the Commonwealth that he does not favor what this House, or at least this Educational Committee seems to favor, so I say there should be either from His Excellency the Governor directly or indirectly through the Majority Leader a statement as to the Governor's figures which he is carrying as a basic part in his educational program.

According to press reports the Governor estimates that House Bill 417 will impose additional charges of approximately 36 million dollars upon the school districts of the Commonwealth. That is approximately four dollars per capita per biennium, or two dollars per year.

Now, it is understood that the Governor favors an extension of the local tax base. I am asking you Members of the House whether broadening the local tax base, giving school districts the right to run wild, to proceed wholly without any restraint is or is not likely to impose a sum in excess of 36 million dollars upon the school districts of the Commonwealth.

In my opinion if you turn over the broadened tax base that the Governor is talking about to the school districts they will hike the school burden considerably in excess of 36 million dollars. I think if His Excellency the Governor wants to save money he will find some way of collecting that 36 million dollars from the same constituency which in the end would pay it if you went into the local school districts.

Finally I would like to ask whether the administration is committed to House Bill 800 in its present form, and whether it believes it would be possible to create in orderly fashion a logical tax structure under the terms of House Bill 800 as it is now before us. Or would the enactment of that measure in its present form result in a chaotic scramble on the part of the political subdivisions to preempt tax sources for their particular uses with the result that there would be no defense against indiscriminate taxation?

Finally, will the Majority Leader or some other responsible spokesman for the administration outline during the coming week for the benefit of this House those portions of the Governor's recent statement concerning House Bill 417 which are specific in their nature as distinguished from those portions of the statement which deal with generalities?

And finally, as I have stated, will the Majority Floor Leader or some other responsible spokesman for His Excellency the Governor during the week to come, at their earliest convenience inform this House concerning the schedule of mandated salaries which the Executive believes should be written into House Bill 417?

Mr. SORG. Mr. Speaker, the gentleman has outlined points that I do believe every Member of this House has a right to know specifically. I want him to know that it was definitely my plan to do so.

In reply to his specific references concerning one bill on the calendar, House Bill 800, I want to say most emphatically that it is not a measure to which in its present form the administration is committed.

REPORT FROM COMMITTEE

Mr. WOOD from the Committee on State Government, reported as committed, Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. BRUNNER asked and obtained unanimous consent to add the name of Mr. Cadwalader to a resolution he was about to present.

CONGRATULATORY RESOLUTION

Messrs. BRUNNER, KRATZ and CADWALADER offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 15, 1947.

For the past eight years and more Montgomery County has been well represented among others by an amicable and efficient gentleman affectionately referred to as "Squire Boorse," whose age was long unknown to even his closest colleagues in the House of Representatives. The Pennsylvania Manual just issued, however, discloses that Mr. Boorse was born in Lansdale on May 10, 1876, be it therefore,

Resolved, That although this birth date occurred several days ago, when this House was not in session, that the House of Representatives this belatedly extend to its genial and conscientiously efficient Member its heartiest congratulations and well wishes for a continuation of his services in his home town of Lansdale and expresses its hope that he may continue as a Member of this body and as Chairman of its important Committee on Municipal Corporations for many more sessions to come, and be it further

Resolved, That a copy of this resolution be certified by the Chief Clerk and be transmitted to the Honorable Howard F. Boorse.

The SPEAKER. The Chair regrets that the gentleman from Montgomery, Mr. Boorse, is not present at this time, but is confident that it is the feeling of the Members of the House that he shall have many years of happy birthdays.

SENATE MESSAGES

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 551, 570, 639, 306, 505 and 528.

PERMISSION TO ADDRESS HOUSE

Mr. McMILLEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire to make an announcement to the House and call the Speaker's attention to another very important date. It involves a gentleman of this House, one of the most congenial, one of the hardest working gentlemen, and while he admits by his own work that he does not imbibe anything at night, he does buy the other fellow liquor to see them imbibe a little bit. The gentleman is commonly known among us as Governor. Governor Pickens had a birthday last Saturday.

Mr. Speaker, I suggest that the House extend its best wishes at this late date to Governor Pickens and have that speech delivered that he has had written out for the last two months.

The SPEAKER. The Chair thanks the gentleman from Indiana, Mr. McMillen, for reminding the Chair and the other Members of the House that the gentleman is growing older.

The Chair was under the impression that he was trying to hide that fact, and understood that that was the reason why so few of us realized that he had another birthday. But we who have seen him in Harrisburg over a period of weeks, months, and years, seemed to feel that he was growing younger rather than older. I certainly wish him, and I am sure that all of the Members of the House join me in wishing him many more happy birthdays.

The Chair now recognizes the gentleman from Clarion, Governor Pickens.

Mr. ANDREWS. Mr. Speaker, before the gentleman speaks I would like to ask a question. I want to know whether it is true that he is wandering around town telling people that his name is Andrews?

The SPEAKER. The Chair might state that he may be telling that to people, but anyone who has ever visited the Hall of the House would know the difference.

The Chair recognizes the gentleman from Clarion, Governor Pickens.

Mr. PICKENS. Thank you, Mr. Speaker, for taking my part with the gentleman from Cambria. The trouble with the gentleman from Cambria is that a couple of people took him for me one day, and I apologized because I said I was a Republican and I thought that let me out of it, but he still insisted I was Mr. Andrews.

I want to thank the House for their congratulations—I understand they are late, but two years ago a resolution was introduced along about the last day, and I invited the House to meet me on May 30th, which happens to come on Decoration Day, downstairs, and nobody was there. It has been suggested by the gentleman from Butler, Mr. Greer, to invite you for the fourth of July—so if you are all here at that time buy your own meal. I thank you.

The SPEAKER. Thank you, Governor Pickens.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1050.

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 3, page 5, line 9 by inserting after the word "at" the word "or".

Amend section 4, page 7, line 4 by striking out after the word "issued" the word "in" and inserting in lieu thereof the word "is".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. STONIER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Aaronson,	Getchey,	McDonald,	Scanlon,
Andrews,	Gibson,	McKinney,	Schuster,
Bane,	Goff,	McMillen,	Scott,
Barrett,	Goodling,	Mihm,	Serrill,
Baumunk,	Gorman,	Mikula,	Shoemaker,
Beech,	Graybill,	Miller,	Simons,
Bender,	Greenwood,	Mills,	Smith, C. C.,
Bentzel,	Greer,	Mintess,	Smith, C. M.,
Bloom,	Griffiths,	Mohr,	Snider,
Boles,	Guthrie,	Mooney,	Sollenberger,
Bonawitz,	Gyger,	Moore, C. E.,	Sorg,
Boorse,	Hall,	Moore, H. A.,	Sproul,
Bower,	Haller,	Morrison,	Stank,
Brelsich,	Haudenshield,	McCosker,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Dare,	Tittle,
Cochran,	Johnson,	O'Donnell,	Tompkins,
Cole,	Johnston,	O'Neill,	Toomey,
Cook,	Jump,	Orban,	Upshur,
Cooper,	Kean,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kemp,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Dague,	Kirley,	Polaski,	Waldron,
Dairymple,	Kline,	Powers,	Wallin,
Davison,	Kohl,	Price,	Walton,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Weidner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Lelsey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lovett,	Robertson,	Worley,
Fish,	Lyons,	Root,	Yeakel,
Fiss,	Madden,	Rowen,	Yester,
Flack,	Madigan,	Royer,	Yetzer,
Foor,	Mazza,	Sarrafi,	Young,
Frost,	McCormack,	Sax,	Lichtenwalter,
Gallagher,	McCullough,		Speaker.

NAYS—0

NOT VOTING—11

Bucchin,	Fleming,	O'Connor,	Trout,
Chervenak,	Hoffman,	Ragot,	Turner,
Evans,	Jones,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1053.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Penn-

sylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested:

The SPEAKER. The Clerk will read the amendment. The Clerk read the amendment as follows:

Amend section 1, page 2, line 9, by inserting after the word "States" the words "or of any of her allies."

On the question,

Will the House concur in the amendment made by the Senate?

Mr. ROYER. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Aaronson,	Getchey,	McCullough,	Scanlon,
Andrews,	Gibson,	McDonald,	Schuster,
Bane,	Goff,	McKinney,	Scott,
Barrett,	Goodling,	McMillen,	Serrill,
Baumunk,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Miller,	Smith, C. C.,
Bentzel,	Greer,	Mills,	Smith, C. M.,
Bloom,	Griffiths,	Mintess,	Snider,
Boles,	Guthrie,	Mohr,	Sollenberger,
Bonawitz,	Gyger,	Mooney,	Sorg,
Boorse,	Hall,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Breisch,	Haudenschild,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoopes,	Needham,	Tahl,
Cassidy,	Horan,	Neff,	Thomassy,
Chudoff,	Imbt,	Nelson,	Thompson,
Clevenger,	Jennings,	O'Dare,	Tittle,
Cochran,	Johnson,	O'Donnell,	Tompkins,
Cole,	Johnston,	O'Neill,	Toomey,
Cook,	Jump,	Orban,	Upshur,
Cooper,	Kean,	Patten,	Vaughan,
Cordier,	Kelley,	Petrosky,	Verona,
Costa,	Kemp,	Pichney,	Wachhaus,
Crowley,	Kent,	Pickens,	Wagner,
Dague,	Kirley,	Polaski,	Waldron,
Dalrymple,	Kline,	Powers,	Wallin,
Davison,	Kohl,	Price,	Walton,
De Long,	Kratz,	Propert,	Waterhouse,
Demech,	Krise,	Readinger,	Watkins,
Dennison,	Kurtz,	Reagan,	Watson,
Depuy,	Laughner,	Reese, D. P.,	Veldner,
Dix,	Layer,	Reese, R. E.,	Weiss,
Dye,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Lelsey,	Reilly, W. J.,	West,
Elder,	Livingston,	Richter,	Wheeler,
Erb,	Livingstone,	Riley,	Wolf,
Ewing,	Loftus,	Robbins,	Wood,
Feola,	Lovett,	Robertson,	Worley,
Fish,	Lyons,	Root,	Yeakel,
Fiss,	Madden,	Rowen,	Yester,
Flack,	Madigan,	Royer,	Yetzer,
Foor,	Mazza,	Sarrafi,	Young,
Frost,	McCormack,	Sax,	Lichtenwalter,
Gallagher,	McCosker,		Speaker.

NAYS—0

NOT VOTING—11

Bucchin,	Fleming,	O'Connor,	Trout,
Chervenak,	Hoffman,	Ragot,	Turner,
Evans,	Jones,	Rose,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS TO HOUSE BILL No. 1046

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I move that the House insist on its non-concurrence in the amendments made by the Senate and that a Committee on Conference be appointed. The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1046

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on House Bill No. 1046 Messrs. WALTON, SERRILL and BANE.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 114.

An Act to amend section six of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (App. Act page 40) entitled "An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties" extending provisions thereof until next regular session of the General Assembly.

SENATE BILL No. 194.

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania, and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate.

SENATE BILL No. 232.

An Act to amend Subsection 16 of Section 302 of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger and consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes.

SENATE BILL No. 250.

An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases

SENATE BILL No. 282.

An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts" by authorizing building and loan associations to grant chattel mortgages in certain cases.

SENATE BILL No. 289.

An Act to further amend Sections four hundred ten and four hundred eleven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising consolidating and changing the law relating thereto," by providing an alternate method for marking boundary lines of regulated shooting grounds; and authorizing fixing of shooting periods thereon under certain conditions.

SENATE BILL No. 309.

An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled "An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees requiring school districts and vocational school districts to make additional

payments into the School Employees' Retirement Fund reserving all rights and privileges of employees granted leaves of absence under the provisions herein and superseding or repealing all contrary laws" by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service.

SENATE BILL No. 311.

An Act to amend section four and subsection (a) of Section ten of the Act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 816), entitled "An Act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain; protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying, and repealing certain legislation" by clarifying the wording thereof applicable when the slayer is a devisee, legatee, or appointee under the will of the person slain.

SENATE BILL No. 370.

An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law.

SENATE BILL No. 391.

An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds

SENATE BILL No. 419.

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

SENATE BILL No. 433.

An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township, Montgomery County, Pennsylvania, with the approval of the Governor.

SENATE BILL No. 474.

An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing the De-

partment of Public Instruction to fix the fees to be charged by professional examining boards.

SENATE BILL No. 477.

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or the General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

SENATE BILL No. 515.

An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled "An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails of this State and regulations governing the same" changing the day on which monthly reports shall be forwarded to the Governor

SENATE BILL No. 516.

An Act to amend section one of the act approved the fourth day of June, one thousand nine hundred forty-five (Appropriation Act No. 85-A, page 61), entitled "An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics," by adding municipal authorities to the agencies receiving assistance.

SENATE BILL No. 543.

An Act ratifying, confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors.

SENATE BILL No. 612.

An Act to further amend sections twenty-seven and forty-five and to add a new section to the act, approved the seventh day of June, one thousand nine hundred one (P. L. 493), entitled as amended "An act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage, and prescribing certain rules, regulations and requirements for the construction of plumbing, house drainage and cesspools, in cities of the second class, second class A and third class and imposing fines, penalties and forfeiture for violation thereof," prescribing further rules, regulations and requirements for the construction of plumbing, house drainage and cesspools.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills

from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 487.

An Act to add subsection three point one to section eight of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employees, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employees; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by further providing for certain Commonwealth contributions to the fund.

HOUSE BILL No. 586.

An Act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, and the listing of persons engaged in practicing, as certified public accountants; and for the suspension and revocation of such certificates, subject to appeal, and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties; and repealing existing laws.

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILLS RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1148.

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

HOUSE BILL No. 838.

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education" including recreational or social service for youth and children within the meaning of the term "extension education"

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage at third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 487.

An Act to add subsection three point one to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further providing for certain Commonwealth contributions to the fund.

HOUSE BILL No. 586.

An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working papers defining unlawful acts and acts not unlawful providing penalties and repealing existing laws

HOUSE BILL No. 838.

An Act to further amend the definition of "Extension education" in section one of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 492), entitled "An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education, for boys and girls who are employed and for adults, as a function of the public schools of this Commonwealth; and to facilitate the proper organization and administration of such extension education," including recreational or social service for youth and children within the meaning of the term "extension education."

HOUSE BILL No. 1148.

An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled "An act

relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the pledge of assets for deposits

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to file a request with the Majority Leader.

I would like to file a request for the privilege of having included in his schedule of operations at least fifteen days prior to the final adjournment, a time when for purposes of the record the minority group will be privileged to present motions to discharge committees, and in connection with the motions we would be willing to accept a straight party vote, quick roll call, on such motions as we have to offer, so that it will take very little time. We would like to have that period definitely scheduled on his plan of operations.

PERMISSION TO ADDRESS HOUSE

Mr. SORG asked and obtained unanimous consent to address the House.

Mr. Speaker, I shall be happy to do that, and I thank the gentleman for his cooperation in that schedule.

The SPEAKER. The Chair also wishes to thank the gentleman.

PERMISSION TO ADDRESS HOUSE

Mr. HEWITT asked and obtained unanimous consent to address the House.

Mr. Speaker, this morning I purchased a ticket for a horse show.

The SPEAKER. On Sunday?

Mr. HEWITT. I purchased it inadvertently, Mr. Speaker, but I noticed what an appropriate place it would be for holding a horse show, Coopersburg. From what Mr. Andrews just said I think we will all be here June 1st. I would like to know, and ask you whether we are going to be here June 1st, and if we are we may avail ourselves of this opportunity to attend.

ADJOURNMENT

Mr. HEWITT. Mr. Speaker, I move that this House do now adjourn until Monday, May 19, 1947, at 3:30 p.m. Eastern Standard Time.

The motion was agreed to, and (at 11:23 a.m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., MONDAY, MAY 19, 1947.

No. 58.

SENATE

MONDAY, May 19, 1947

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the gentleman from Butler, Senator CARR.

Our Heavenly Father, at the beginning of a new week of our activities, we acknowledge unto Thee our helplessness without Thy aid. We would ask that Thou smooth out the accomplishment of Thy purposes, blessing us wherein we do that which is in accordance with Thy will. Grant that Thy blessings may rest upon our nation and upon our state and upon all people everywhere, as Thou see their needs. Through Christ the Redeemer, we ask it. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WALKER, further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

W. Wade asked and obtained leave of absence for Mr. HARE.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 516,
PRINTER'S No. 208

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 516, Printer's No. 208, entitled "An Act to amend section one of the act

approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts No. 85-A page 61) entitled 'An act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics' by the encouragement and development of aeronautics receiving assistance."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 109,
PRINTER'S No. 30

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 109, Printer's No. 30, entitled "An Act to amend section one of the act approved the tenth day of April one thousand nine hundred forty-five (P. L. 187) entitled 'An act to provide for the receiving as evidence in any court office or other place in this State official findings records reports or certified copies thereof of death presumed death missing or other status issued by the Secretaries of War and Navy and other Federal officers and employees' providing that official statements of missing in action shall be prima facie evidence of death of the person therein named."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 19, 1947.

Mr. TALLMAN. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for

terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Andrew M. Cole, Pittsburgh, 16 Perry St.

CUMBERLAND COUNTY

Michael J. Kaschak, New Cumberland.

MONTGOMERY COUNTY

Stanley E. Settle, Norristown.

PHILADELPHIA COUNTY

Harold S. Allen, Phila., 741 S. 19th St. (46).

William F. Bishop, Phila., 1420 South Penn Square.

H. George Dobkin, Phila., 1336 Olney Avenue.

Miss Lucy Dougherty, Phila., NE Cor. 11th & Sansom Sts.

Fred G. Ewald, Phila., William Amer. Company, 215 Willow St. (23).

Jerome Fine, Phila., 616 N. American Bldg.

George W. Finley, Jr., Phila., 2628 N. Mascher St.

George M. Kane, Phila., 319 N. 11th St.

Mrs. Catherine B. Mackell, Phila., Ederer, Inc., Bldg., Unity & Elizabeth Sts.

Miss Mary R. Martin, Phila., Metropolitan Life Ins. Co., 4441 Frankford Ave. (24).

WARREN COUNTY

Ned A. Carpenter, Conewango Twp., North Warren.

JAMES H. DUFF.

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Albert S. Yaggi, Sr., Pittsburgh, 2942 Banksville Ave.

BLAIR COUNTY

J. E. Ake, Williamsburg.

Robert W. Lawrence, Altoona.

BUTLER COUNTY

Floyd Leventhal, Summit Twp., P. O. Box 976, Butler.

CAMBRIA COUNTY

Mrs. Blanche M. Livingston, Johnstown.

CARBON COUNTY

Charles E. Wildoner, Mauch Chunk.

CRAWFORD COUNTY

Miss Gladys Jacobs, Meadville.

ERIE COUNTY

Richard D. Southworth, Erie.

LACKAWANNA COUNTY

George A. Hornbeck, Jr., Carbondale.

LANCASTER COUNTY

Mrs. Ruth M. Farkas, Lancaster.

LUZERNE COUNTY

Miss June E. Butterwick, Hazleton.

LYCOMING COUNTY

Mrs. Doris C. Shaheen, Montoursville.

NORTHUMBERLAND COUNTY

Truman L. Baker, Jackson Twp., Herndon.

PHILADELPHIA COUNTY

Samuel B. Forman, Phila., 6419 N. 11th St.

Mrs. Flora H. Lou, Phila., 933 Race St.

Mrs. Marie Rice, Phila., 2017 W. Columbia Ave.

POTTER COUNTY

Mrs. June D. Booth, Coudersport.

SCHUYLKILL COUNTY

Mrs. Dorothy Inganzo, Cass Twp., Box 297A, R. D. 2, Pottsville.

VENANGO COUNTY

Frank F. Malvaso, Sugar Creek Twp., Box 201, Reno.

WASHINGTON COUNTY

Mrs. A. Bertha Walker, Finleyville.

YORK COUNTY

Miss Dee L. LaMotte, York.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. TALLMAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Geltz,	Mahany,	Taylor,
Becker,	Haluska,	Mallery,	Tyler,
Berger,	Heyburn,	Margie,	Wade,
Blass,	Holland,	Rahausen,	Wagner,
Carr,	Homsher,	Rosenfeld,	Walker,
Crider,	Jaspan,	Ruth,	Watson,
Crowe,	Kephart,	Scarlett,	Wilson,
Dent,	Klein,	Snowden,	Wolfe,
DiSilvestro,	Lane,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,	Lord,	Tarr,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE SANITARY WATER BOARD

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to

nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Sanitary Water Board, to serve until the third Tuesday of January, 1951, and until their successors shall have been appointed and qualified:

Dr. E. A. Holbrook, Dean of Engineering, University of Pittsburgh, Pittsburgh, Allegheny County.

Henry Lowe Brownback, 823 West Main Street, Norristown, Montgomery County.

JAMES H. DUFF.

MEMBERS OF THE STATE BOARD OF PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Board of Public Assistance:

James J. Knoud, 2512 South 22nd Street, Philadelphia, Philadelphia County, until the third Tuesday of January, 1952. (Reappointment)

Frank A. Robbins, Jr., Parkway Apartments, Harrisburg, Dauphin County, until the third Tuesday of January, 1952. (Reappointment)

Hon. George T. Spang, 729 Cumberland Street, Lebanon, Lebanon County, from December 18, 1945, until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

Mrs. Elizabeth Conner Hensyl, 401 East 2nd Street, Berwick, Columbia County, until the third Tuesday of January, 1953, and until her successor is appointed and qualified. (Reappointment)

Mrs. Selma J. Gollmar, 158 Highland Avenue, West View, Allegheny County, until the third Tuesday of January, 1953, and until her successor is appointed and qualified. (Reappointment)

Hon. Samuel Y. Ramage, III, East 9th Street, Woodland Heights, Oil City, Venango County, from December 18, 1945, until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

JAMES H. DUFF.

MEMBERS OF THE COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ALLEGHENY COUNTY

Charles Silver (Republican), 1232 Murdoch Street, Pittsburgh, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Jerome Edlis, Pittsburgh, whose term expired.

COLUMBIA COUNTY

Dr. J. W. Biddle (Republican), Millville, from February 4, 1946, until December 31, 1948.

Mrs. Gladys Robbins (Republican), 229 Market Street, Bloomsburg, from February 4, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Rev. Gladstone P. Cooley (Republican), 1101 East Front Street, Berwick, from January 1, 1947, until December 31, 1949.

Arthur E. Arndt (Democrat), 106-A Market Street, Ber-

wick, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Ann G. Holt Law (Republican), 156 West Fourth Street, Bloomsburg, from February 13, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

Frank C. Elmes (Republican), 314 East Front Street, Berwick, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Frank A. Creasy, Berwick, whose term expired.

CRAWFORD COUNTY

Rev. James M. Regester (Republican), Cambridge Springs, to serve until December 31, 1947, and until his successor is duly appointed and qualified, vice Joseph Kingsley, Cambridge Springs, resigned.

FOREST COUNTY

J. Orr Carson (Republican), Clarington, to serve until December 31, 1947. (Reappointment)

Robert H. Pickens (Republican), Tionesta, to serve until December 31, 1947. (Reappointment)

Albert S. Payne (Republican), Marienville, to serve until December 31, 1948. (Reappointment)

Miss Alice N. Siggins (Republican), West Hickory, to serve until December 31, 1948, and until her successor is duly appointed and qualified, vice C. A. Weaver, Tionesta, whose term expired.

Mrs. Sarah Moore (Democrat), East Hickory, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice L. E. Moore, East Hickory, whose term expired.

Ben. T. Huggler (Republican), Marienville, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice F. F. Spencer, Trueman, whose term expired.

Waldo W. Killmer (Republican), Tionesta, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Louise E. Phillips, Endeavor, whose term expired.

FRANKLIN COUNTY

Mrs. Anna E. Evans (Republican), 128 Glen Street, Chambersburg, from February 25, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

Rev. C. M. Ankerbrand (Democrat), 104 North Potomac Street, Waynesboro, from February 25, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

INDIANA COUNTY

James H. Pease (Republican), R. D. 3, Indiana, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Joseph I. McElhoes (Democrat), R. D. 2, Home, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

R. J. Pollock (Republican), R. D., Rossiter, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Clare Marshall (Republican), Clarksburg, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Mary B. Rhodes (Republican), 42 South 12th Street, Indiana, to serve until December 31, 1949. (Reappointment)

JEFFERSON COUNTY

H. S. Nelson (Republican), Brockway, from May 13, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Diltz S. Gourley (Republican), 504 North Penn Street, Punxsutawney, from May 10, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

John H. B. Johnson (Republican), 134 Pine Street, Brookville, to serve until December 31, 1949. (Reappointment)

J. W. Radaker (Republican), Anita, to serve until December 31, 1949. (Reappointment)

George L. Geisler (Democrat), 510 Jackson Street, Reynoldsville, to serve until December 31, 1949. (Reappointment)

Mrs. Marjorie Davis (Republican), R. D., Brookville, to serve until December 31, 1947, and until her successor is duly appointed and qualified, vice Mrs. Marian Bullers, Hazen, resigned.

MERCER COUNTY

John V. Wherry (Republican), Grove City, from March 8, 1946, until December 31, 1947.

G. G. Forquer (Republican), 251 Broad Street, Grove City, from March 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Miss Elizabeth Clarke (Democrat), 1004 Ridge Avenue, Sharpsville, from March 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

J. Arthur Loutzenhiser (Republican), 12½ Union Street, Greenville, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Leah Bachman (Republican), 1313 Hall Avenue, Sharon, from March 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Edward W. Hoagland (Republican), 226 Shenango Boulevard, Farrell, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Mrs. Jane Dear, Farrell, whose term expired.

Jacob B. Goldberg (Republican), Cedar Avenue, Sharon, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice Dr. Myron Murstein, Sharon, whose term expired.

MONTGOMERY COUNTY

Carl G. Lorenz (Republican), Old Spring Mill Road, Plymouth Meeting, to serve until December 31, 1948, and until his successor is duly appointed and qualified. (Reappointment)

Rev. Lester K. Kriebel (Republican), 313 Main Street, Pennsburg, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

Henry P. Friend (Republican), 1407 Oakland Boulevard, Norristown, to serve until December 31, 1949. (Reappointment)

H. Nelson Reifsnyder (Republican), 1567 Sheridan Lane, Norristown, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment)

PERRY COUNTY

Mrs. Pearl McPherson (Republican), New Bloomfield, to serve until December 31, 1949, and until her successor is duly appointed and qualified. (Reappointment)

SOMERSET COUNTY

Charles Humbert (Republican), Confluence, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

I. G. Pickworth (Republican), R. D. No. 2, Boswell, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Bessie E. Kornis (Republican), Sipesville, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Mrs. Sada Snyder, Stoystown, whose term expired.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 544, entitled:

An Act to further amend section one thousand four hundred thirteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," providing special education for children afflicted with cerebral palsy or otherwise physically handicapped.

Which was committed to the Committee on Education.

House Bill No. 1100, entitled:

An Act directing the county commissioners of each county to prepare certify and deliver to the Department of Public Instruction at stated intervals a certified list of all real estate conveyances or transfers within such county stating the value of Federal tax stamps affixed to the deed for such conveyance or transfer and the assessed valuation for county tax purposes of such real estate providing for reimbursement to the county by the Department of Public Instruction for such lists and making an appropriation

Which was committed to the Committee on Education.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1050

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite; providing for and regulating the sale, offering for sale, resale, delivery and shipment of anthracite according to a standard provided for in this act; requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers, to keep certain records; conferring powers on the Anthracite Committee and its agents; and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1053

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

SENATE BILL No. 601 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for

the protection and preservation of property connected therewith" by further regulating barrier pillars

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill, as amended, will appear on tomorrow's Calendar.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 1046 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208), entitled An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties regulating the use of a corporate title in applying for a pharmacy permit and its use on labels, signs and advertisements

and has appointed Messrs. WALTON, SERRILL and BANE as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 1046, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. TALLMAN. Mr. President, I move that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The President pro tempore appoints Messrs. CARR, KEPHART and BARR to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 231, entitled:

An Act to amend the title and section one of the act approved the sixteenth day of May, one thousand nine hundred and forty-five (P. L. 594, No. 249), entitled "An act authorizing and empowering any corporation for profit,

heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders; and ratifying certain contributions," by removing certain limitations upon the power of corporations to make contributions for charitable purposes.

Senate Bill No. 557, entitled:

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil by means of pipe lines and tanks; defining the rights and powers of the surviving or new corporation; providing for the service of process on foreign corporations; and defining the rights of dissenting stockholders.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and Members of the Senate, today we are faced with the closing of our medical schools unless immediate aid is given them. Hearings had with the deans of the University of Pennsylvania, University of Pittsburgh, University of Temple, Hahnemann and Jefferson Medical colleges disclosed that they are desperately in need of funds to continue with the training of young men and women interested in the science of healing arts. Hahnemann College has been forced to reduce its enrollment from 150 to 105 in the freshman class on account of lack of equipment and facilities, and its inability to obtain full-time professors with its limited funds. Jefferson College has been forced to borrow from endowment funds not earmarked for college purposes. Temple University Medical College has been compelled to borrow from banks on the basis of anticipated revenue. University of Pennsylvania Medical School and University of Pittsburgh also find themselves in the same position. How long they can carry on without additional funds is a matter of conjecture.

Thus far, these medical colleges have been drawing for existence from tuition fees, state subsidies and small endowments. As to tuition fees, generally \$500 a year, the colleges lose about \$500, as it costs them approximately \$1000 a year to maintain a student. Equipment and new facilities are needed to keep pace with the development in medical science. The old equipment has to be discarded to make way for modern improvements. Full time professors with special knowledge in new and modern cures have to be employed at rather high salaries. State aid is meager, and does not even make up the loss the universities sustain on every student. Losing \$500 on every student, the medical schools—take any one with an enrollment of 400 students—run up a deficit of \$200,000 every year.

The deficit in every case has been growing, leaving the medical colleges practically helpless, and no one to look to excepting the state. What do we intend to do about it? The need for doctors is growing. The number of tubercular cases, heart cases, cancer, rheumatic fever, infantile

paralysis, and the like, is increasing daily. Modern science has developed to a great extent. New cures have been found. New drugs, such as the sulpha drugs, penicillin, streptomycin, have been found, and the mortality of those afflicted with serious diseases have been reduced to a minimum; but nevertheless, doctors are needed to make correct diagnoses and administer proper treatments.

Dr. Parran, the Surgeon-General of the United States, stated recently at the convention of the American Medical Association School, that within ten years there will be a shortage of 40,000 doctors. To make matters worse, in case of war or emergency, the shortage would still be greater. So we must be prepared to meet every eventuality, and every contingency. The last flu epidemic, the World War No. 2, are illustrations of our short-sightedness in the direction of health.

The basis of our educational system is sound mind and healthy body. Without a healthy body, no nation can exist or survive. Our nation must at all times be strong. We therefore cannot overemphasize the need for a few additional millions of dollars for medical colleges.

Medical schools in Pennsylvania are eager to expend their facilities, obtain new equipment, inaugurate building programs, embark on extensive research, and above all, give the students proper training in the most important profession.

Medical schools are also interested in increasing their enrollment, but it can not be done without the necessary tools. Do you realize that approximately six thousand apply for admission to medical schools in Pennsylvania every year and only 600 can be accepted under the present circumstances? The answer is very simple—lack of facilities. If anything, in view of Dr. Parran's statement, there should be accommodations for at least twice the number or 1200 rather than 600. The schools are not at fault. We are to blame. Are we to sit by and trust that there may not be any need for doctors? To force any school or schools to close because of our refusal, or the Governor's refusal, to properly appropriate would simply aggravate an already serious situation. Instead of increasing the enrollment, we would be decreasing it.

Our medical colleges have the finest records in the country. We can very well be proud of them. Their graduates have distinguished themselves everywhere.

It certainly is a sad commentary on the state government to allow niggardly amounts for medical schools at a time when physicians are in demand, and further at a time when the budget for the next two years runs close to a billion dollars.

We have passed bills appropriating thousands of dollars for maintenance of graves, for the perpetuation of memorials and for the printing of state books, and today are appropriating millions for roads and bridges, but I say "What Price Health." Appropriations to train boys and girls in the interest of health apparently come last. Let us be bold enough to put health at the top of the ladder where it rightfully belongs and without hesitation pass Senator Walker's bill, Senator Kephart's bill, Senator Stiefel's bill and my bill, all calling for substantial increases over the Budget Director's estimate for the next biennium for medical schools. These bills practically double the appropriations for medical schools, and it will

be money well spent. Assuming we pass them, and I am confident we will, we still have another bridge to cross—the Governor and the Budget Director. In the final analysis, the Governor has the final word with respect to appropriations. We should, however, convince the Governor of the urgent need for the money. About \$1,500,000 additional is needed at the present time to take care of the immediate wants of the medical colleges. I feel that we should go on record in favor of appropriating such sums and therefore introduce the following resolution calling on the Governor of the state to comply with our request.

RESOLUTION

FAVORING INCREASES IN APPROPRIATIONS FOR MEDICAL COLLEGES

Mr. JASPAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN offered the following resolution which was twice read as follows and referred to the Committee on Appropriations:

May 19, 1947.

Whereas, The medical colleges in the State of Pennsylvania are desperately in need of funds to expend their facilities, obtain new equipment, inaugurate building programs, embark on extensive research into new phases of medicine;

Whereas, The proper training of men and women in medical schools depends to a large extent on the equipment and facilities of the medical school;

Whereas, Considerable money is required to engage full time professors, and instructors with special knowledge in new and modern cures;

Whereas, The need for physicians is growing, particularly in view of the large number of serious diseases, such as tuberculosis, cancer, heart disease, infantile paralysis and meningitis;

Whereas, Because of the lack of funds there is great danger that some of our medical schools will be forced to close, thereby reducing the number of men available in the medical field;

Whereas, The basis of our educational system is sound mind and healthy body, and it is incumbent upon our nation to be strong physically in order to survive;

Whereas, The closing of medical colleges and the consequent loss of potential doctors will affect our national safety, security and educational system;

Whereas, A few million dollars are needed by our medical schools to tide them over the emergency; therefore be it

Resolved, That the Senate of Pennsylvania go on record in favor of substantial increases in appropriations for medical colleges for the next biennium; and be it further

Resolved, That the Senate of Pennsylvania urge the Governor to approve such appropriation as adopted by the Legislature.

REPORT FROM COMMITTEE

BILL RE-REFERRED

Mr. STEVENSON, from the Committee on Local Government, reported as committed House Bill No. 745 entitled:

An Act to amend sections one thousand one hundred twenty-one and one thousand one hundred thirty of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code." by providing for the budgeting of the traveling ex-

penses of county and assistant county superintendents and the allocation of same.

which was re-referred to the Committee on Education.

BILLS INTRODUCED AND REFERRED

Mr. RAHAUSER read in his place and presented to the Chair Senate Bill No. 757, entitled:

An Act to provide for the removal, destruction or abatement of and to prevent the spread of certain weeds, plants or growths and the seed, pollen or other emanation thereof noxious or detrimental to the public health, by the local boards of health in every city; prescribing their powers and duties relative thereto and providing penalties.

Which was committed to the Committee on Public Health and Welfare.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by further changing the provision relating to the maximum compensation of the State Civil Service Commission.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 759, entitled:

An Act to further amend section two hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined," by deleting "State Civil Service

Commissions" as a departmental administrative commission in the Department of Public Instruction.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 760, entitled:

An Act to further amend section two hundred five, subsection (2) of section two hundred six and sections five hundred one, five hundred two, five hundred seven, eight hundred two and eight hundred seven, and to amend subsection (b) of section three, Article 11, sections three hundred one, four hundred one, six hundred three, six hundred four, six hundred six, six hundred seven, seven hundred one, seven hundred four, eight hundred four, eight hundred six and nine hundred four of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth, and repealing an existing law.

Which was committed to the Committee on State Government.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 761, entitled:

An Act to amend section three of Articles VIII of the act, approved the twenty-first day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of examining board members.

Which was committed to the Committee on Mines and Mining.

Mr. DOEHLA read in his place and presented to the Chair Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five, (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments.

What was committed to the Committee on Local Government.

He also read in his place and presented to the Chair Senate Bill No. 763, entitled:

An Act to amend section one of the act, approved the twenty-first day of March, one thousand nine hundred five (P. L. 46), entitled "An act authorizing the municipalities of the Commonwealth to vacate, in whole or in part, all streets, lanes and alleys within their corporate limits, laid out by this Commonwealth, whenever the same, or the portion to be vacated shall have remained unopened for a continuous period of thirty years next preceding such vacation," eliminating the requirement that the portion vacated shall have remained unopened for thirty years, and providing that vacated portions shall not be any part of a State Highway route, and validating vacations heretofore made.

Which was committed to the Committee on Highways.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 764 entitled:

An Act to amend sections five hundred twelve and nine hundred four of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by clarifying the duties of the Department of Justice.

Which was committed to the Committee on State Government.

Mr. LANE read in his place and presented to the Chair Senate Bill No. 765, entitled:

An Act to further amend section two of the act, approved the first day of June, one thousand nine hundred thirty-three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State Highways, and providing for their construction and maintenance at the expense of the Commonwealth," adding a new route in Washington County.

Which was committed to the Committee on Highways.

Mr. HOMSHER read in his place and presented to the Chair Senate Bill No. 766, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further providing for the minimum compensation and increments of mem-

bers of the teaching and supervisory staffs of school districts and vocational school districts, county superintendents, assistant county superintendents and district superintendents; and providing for reimbursement by the Commonwealth and by school districts for pupils attending schools of other districts.

Which was committed to the Committee on Education.

RESOLUTIONS

IN MEMORIUM, E. ARTHUR SWEENEY

Mr. DENT offered the following resolution which was twice read, considered and agreed to :

Whereas, It becomes the sad duty of the Senate of Pennsylvania to take notice of the passing of a former State Official, E. Arthur Sweeney, publisher of the Greensburg Morning Review and the Daily Tribune and former State Secretary of Welfare during the administration of Governor Arthur H. James.

Mr. Sweeney was 64 years of age and has been in the newspaper business for 47 years, starting at the age of 17 as a reporter on the old Morning Review. From that time on, until the Morning Review was consolidated with the Greensburg Daily Tribune, he worked in every capacity of the newspaper field, and in 1924 became head of the new publishing firm, the Tribune Review Publishing Company.

E. Arthur Sweeney was regarded as one of the outstanding publishers of Pennsylvania, teaching Journalism at Seaton Hill College and acting in an advisory capacity at Pennsylvania State College. He also served as President of the Pennsylvania Newspaper Publishers Association.

E. Arthur Sweeney was just as well known in the political field, having been a delegate to many Republican National Conventions, and in 1936 was honored by his party as nominee for State Auditor General.

He was also very active in civic affairs and was a member of Rotary, Y. M. C. A., Chamber of Commerce and many other civic and business institutions. He was a native of Westmoreland County, having been born in North Huntingdon Township and could trace his ancestry to early Colonial days through his Mother who was a direct descendant of Colonel Lawrence Muse, who was a personal friend of George Washington, and who came to Allegheny County from Virginia in 1766.

E. Arthur Sweeney will be missed by his many friends and by the community he served so well for so many years. Although he was a Republican by preference, he will be mourned by members of the Democratic party who knew him to be an honorable opponent in any phase of a political campaign, therefore be it

Resolved, That the Senate of Pennsylvania do express its loss of an able and conscientious public citizen by directing that this Resolution be inscribed upon the Journal of the Day and copies be sent to the Tribune Review Publishing Company and to his sister, Miss Elvira Sweeney with whom he made his home at 430 North Maple Ave., Greensburg, Pa.

TIME OF NEXT MEETING

Mr. HEYBURN offered the following resolution, which was twice read, considered and agreed to:

In th Senate, May 19, 1947

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 26, 1947, at three o'clock, p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, May 26, 1947, at three-thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 87, entitled:

A Supplement to the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits and rights from taxation and judicial process, and providing penalties," permitting certain State employes who during the war were loaned to the United States Government and who have now returned to State employment, to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 87

Mr. WADE. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 87.

Mr. WAKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 239, entitled:

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL NO. 239

Mr. TALLMAN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 239.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

And the amendments made thereto having been printed as required by the Constitution,

On the question.

Shall the bill pass finally?

Mr. DENT. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. DENT. Senator Geltz, Senate Bill 498 lapses all unexpended funds and unencumbered balances of appropriations made prior to the 1947 session. Will you tell the Senate how much money will be involved in this total lapsing of funds.

Mr. GELTZ. Mr. President, the information I received on this bill is that \$2,350,000 will be lapsed.

Mr. DENT. Mr. President, as I read the bill, the first section lapses all funds and then provides later on the exceptions. If I am correct in estimates that I have, there are total unexpended funds in the Commonwealth of Pennsylvania today of about \$133,000,000. I am wondering whether this bill, under its present terms, would not lapse the greater portion of the \$133,000,000 rather than the \$2,350,000 mentioned by the sponsor.

Mr. GELTZ. Mr. President, I do not know, except from information I received from the Budget Director. There appears to be lapsed by Senate Bill 498 \$3,000 to the Auditor General's Department; \$100,000 to the Treasury Department; \$12,000, Department of Forests and Waters; \$275,000 Department of Health; \$60,000, Department of Internal Affairs; \$357,000, Military Affairs; \$25,000, Department of State; \$1,500,000, Department of Welfare; or a total of \$2,350,000. That is the only breakdown I have. I do not know anything more about the bill.

Mr. DENT. Thank you, Mr. Geltz.

Mr. President, every two years we put through a bill lapsing unexpended and unencumbered funds of prior bienniums. We never quite get a complete story of the fiscal picture of the Commonwealth of Pennsylvania.

I would suggest, Mr. President and members of the Senate, that before we vote for this important piece of legislation we receive from the Budget Director, in a direct communication to the Senate, the total amount of unexpended funds now held within the various departments of the Commonwealth and by the various boards and by the various bureaus and that when we get this breakdown, we compare it with the new appropriations to the same departments, and determine whether there is not a certain overlapping of new appropriations as against unexpended and unencumbered funds in those various departments.

We all recognize we are in a very serious predicament in the Commonwealth of Pennsylvania, because of our chaotic financial position and therefore, Mr. President, before I would vote for this particular bill that lapses certain funds, I desire to have before me a complete picture of the unexpended and unencumbered funds as they now rest in the Commonwealth of Pennsylvania.

I would suggest to the majority they could easily go along with this proposition, since it is only a matter of a few hours' work on the part of the Budget Director to submit this information to us. I have that information, but rather than place it before the Senate as authentic, I would rather have the direct information from the Budget Director, who is more responsible for the figures than I would be under the same circumstances, since the

figures I have arrived at have been taken from the various budgets, and maybe I have missed some very important item and, therefore, my figure of \$133,000,000 unexpended funds in Pennsylvania, raises a very serious question at this time, that is, whether we are not allowing money to rest unused in the various departments and still raising taxes in the Commonwealth to meet current expenses.

I therefore suggest, Mr. President, if the majority sees their way clear, that this bill go over in order until such time as the Budget Director can submit to the Senate a complete picture of the unexpended funds in the Commonwealth.

Mr. TALLMAN. Mr. President, I feel certain the sponsor of this bill will be glad to comply with the request of the gentleman from Westmoreland, that this bill go over in its order.

Just by way of information, I should like to advise the gentleman from Westmoreland that it is altogether likely that any such information which may come before us will not adequately give the information that he desires, because I had made a similar request concerning this bill, and I learned that it would be impossible to give any accurate figures that would stand to the end of the biennium, because certain moneys between now and the end of the biennium will be committed to outside third parties; for instance, in the Department of Welfare and in other departments, where there are contracts pending but upon which commitments have not yet been made.

I have been informed by the budget office that this bill will merely make certain that the moneys which are not committed before the end of the biennium will be properly lapsed, which ordinarily in any event would be lapsed, and that this bill will merely make certain the procedure under which it is done, and will also cover prior bienniums, by reason of the matter which I have just discussed, which is the commitment of moneys to outside third party contractors of the Commonwealth.

Mr. DENT. That is satisfactory, Mr. President. Will it be possible then to have the Secretary of the Senate request for the Senate this information so that we can expedite this matter?

That is all right, Mr. President, the matter has been taken care of by the Majority Leader. Thank you.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on final passage, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on final passage, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 519, as follows:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employee's Retirement Fund for certain purposes" providing for the purchase by the municipality of Pension Annuity Contracts for policemen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 The title of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the state treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the municipal employees' retirement system and in certain other cases into the State Employees' Retirement Fund for certain purposes" is hereby amended to read as follows

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees Retirement Fund for certain purposes

Section 2 This said act as amended is hereby further amended by adding after section one an additional section one and one-tenth as follows

Section 1.1 Every municipality which has a police force but which does not have a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund as provided in section one of this act shall be paid in the manner provided in this act the amount that would be allocated had the municipality made provision through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund all of which sum so allocated shall be expended by the municipal authorities to secure Pension Annuity Contracts for their policemen Warrents for this purpose shall be drawn by the Auditor General payable to the treasurers of the municipalities and the municipal authorities are hereby directed to use the allocations to forthwith secure Pension Annuity Contracts until such time as they shall have made provision therefor through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund

Section 3 This act shall become effective immediately upon its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Honsher	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 18, as follows:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses thirty-four and forty-one of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" clause thirty-four of which was amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1188) are hereby amended or further amended as the case may be to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

34 Appropriations to Posts of Veterans To appropriate annually to each group of the United States War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men in the city incorporated under the laws of the Commonwealth a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall

be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

41 Rooms for Meetings of Veterans To furnish upon application to each organization composed of veterans of the Civil War veterans of the Spanish American War veterans of the [War with Germany and Austria] World War or World War II veterans of any foreign war and sons of veterans a room or rooms in any public building of such city sufficient for the meeting of each of such organizations at least once each month

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery.	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DISilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 19, as follows:

An Act to amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organization to which certain appropriations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice day" is hereby amended to read as follows

Section 1 Be it enacted &c That the respective authorities of the several cities of the first and second class and second class A and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each Detach-

ment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each chapter of the Military Order of the Purple Heart and to each post of the Jewish War Veterans and to each organization of ex-service men incorporated under the laws of this Commonwealth in the respective cities or towns a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of the graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organizations receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DISilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 20, as follows:

An Act to amend section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws thereto" is hereby amended to read as follows

Section 431 Appropriations to Veterans' Organizations for Expenses of Memorial Day The board of commissioners may appropriate annually to each camp of the United

Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American War Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Grand Army of the Republic and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the county a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Where the Grand Army of the Republic has ceased to exist or to function such appropriation may be made to the Sons of Union Veterans of the Civil War or in the absence of such order to a duly constituted organization which conducts the decorating of graves of Union veterans of the Civil War Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Cridler,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 23, as follows:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts of the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the

Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" including the American Veterans of World War II (AMVETS) and the Marine Corps League among the organizations exempt from payment of registration fees of vehicles used by such organization The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven hundred twenty-two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 722 Exemptions from Fees

(a) No fee shall be charged for a certificate of title or registration of motor vehicles fire department equipment trailers and semitrailers owned by and used exclusively in the performance of the duties of (a) the Federal Government (b) any state other than Pennsylvania which issues titles or registrations to this Commonwealth without charge (c) the Commonwealth of Pennsylvania (d) any city borough incorporated towns township county poor or school district of this Commonwealth (e) any duly authorized volunteer fire force in the extinguishment and prevention of fires or in rescue work hospital humane society or anti-cruelty society in this Commonwealth (f) the American Red Cross (g) churches (h) Girl Scouts of America (i) Boy Scouts of America (j) Salvation Army (k) duly chartered post or organization of the American Legion Veterans of Foreign Wars American Veterans of World War II (AMVETS) the Marine Corps League or United Spanish War Veterans of this Commonwealth or La Societe Des Forty Hommes et Eight Chevaux and organizations and units of the Pennsylvania National Guard (l) mine or industrial ambulances (m) ambassadors ministers foreign consuls general consuls and vice consuls who are nationals of the country appointing them and who are assigned to foreign consulates in this Commonwealth Provided That American consular officers of equal rank who are citizens of the United States and who exercise their official functions at American consulates in such foreign country are granted reciprocal exemptions but all such vehicles except those owned and used by the Federal Government shall be titled and registered and shall display registration plates as is now provided for privately owned motor vehicles trailers and semi-trailers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 24, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses forty-two forty-four and forty-five of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" clause forty-five of which was amended by the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1290) are hereby amended or further amended as the case may be to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

XLII Appropriations to Posts of Veterans To appropriate annually to each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each post of the American Veterans of World War II (AMVETS) and to each detachment of the Marine Corps League and to each Naval Association and to each post of the Disabled American Veterans of the World War and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the respective boroughs a sum not to exceed two hundred dollars to aid in defraying the expenses of Memorial Day and Armistice Day Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

* * * * *

XLIV Payment of Rent for Veterans Posts and Camps By a two-thirds vote of the council appropriate money to any incorporated camp or post of veterans of any war in which the United States was engaged or to any nationally recognized veterans organization of the World War

or World War II to be used in the payment of the rent of any building or room or rooms in which such camp or post has its regular meetings

XLV Rooms for Veterans Posts and Camp Upon application therefor to furnish to each organization composed of veterans of the Civil War veterans of the Spanish American War veterans of the [War with Germany and Austria] World War or World War II veterans of any foreign war and sons of veterans a room or rooms in any public building of such boough sufficient for the meeting of each of such organizations at least once each month and in the case of municipally owned utilities to furnish service without charge to such rooms and also to buildings occupied by posts camps or veterans of any war in which the United States was engaged

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 25, as follows:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations entitled to the printing of convention reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 680), is hereby further amended to read as follows

Section 1 Be it enacted &c That whenever the department commanders of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign

Wars of the United States the American Legion [and] the Disabled American Veterans of the World War the American Veterans of World War II (AMVETS) and the Marine Corps League shall report to the Department of Property and Supplies the proceedings of the annual encampment or conventions of their respective departments with such general and special orders and circulars and other data which may form a part of said proceedings then the said proceedings so reported shall be considered State records and under the direction of the Department of Property and Supplies shall be printed and bound and a printed and bound copy thereof shall be sent to each post or detachment in the Commonwealth of Pennsylvania of the organization of whose proceedings the same is a report

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margle,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. WALKER. Mr. President, I move that House Bill No. 26, on third reading, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" prohibiting the unauthorized wearing of insignia or selling of the official flower of the American Veterans of World War II (AMVETS) and including such organizations among those whose members may wear military uniforms for certain purposes.

be placed on the Third Reading Postponed Calendar.

Mr. CRIDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. WALKER. Mr. President, for the information of the Senate, I might say that the purpose of the motion is to delay action on this bill until we find out whether or not the penal code will pass the House and be signed by the Governor. Provisions identical with those in House Bill 26 are contained in the penal code and there is no need to duplicate it unless the penal code happens to fall by the wayside.

And the question recurring,
Will the Senate agree to the motion?
The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 204, entitled:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 2, by striking out the word "thirty"; Amend Section 2, page 2, line 5, by striking out the word "thirty".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 204, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 217, on third reading, entitled:

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 233, on third reading, entitled:

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commissions for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 272, on third reading, entitled:

An Act to further amend section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the period before which temporary professional employes may become professional employes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 336, as follows:

An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further changing the provisions of the act relating to the titling of commercial motor vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers

mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 203 Contents Delivery Effect and Life of Certificate of Title

(a) A certificate of title shall contain such description and other evidence of identification of the motor vehicle trailer or semi-trailer for which it is issued as the secretary may deem necessary together with a statement of any liens or encumbrances which the applicant may show to be thereon together with the name and addresses of the holder or holders of any such or encumbrances. If the motor vehicle is a motor bus other than those designated in section 707 herein as classes A and B or a commercial motor vehicle the certificate of title shall not describe by number or otherwise the motor or engine in said motor bus or commercial vehicle

(b) Where there are no liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title shall be delivered to the owner but otherwise the certificate of title shall be delivered to the person holding the first lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such first lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer. The certificate of title when issued by the secretary showing a lien or encumbrance shall be adequate notice to the Commonwealth creditors and purchasers that a lien against the motor vehicle trailer or semi-trailer exists and failure to transfer possession of the vehicle trailer or semi-trailer shall not invalidate said lien or encumbrance. Upon the final payment being made of any lien or encumbrance the certificate of title shall be delivered immediately to the owner of said motor vehicle trailer or semi-trailer with proper evidence of satisfaction of same providing there are no subsequent liens or encumbrances. If there are any subsequent liens or encumbrances upon the motor vehicle trailer or semi-trailer the certificate of title upon final payment being made of any lien or encumbrance shall be returned to the department by the person whose lien or encumbrance has been discharged by such payment within forty-eight (48) hours of such payment. A corrected certificate of title together with a statement of the remaining liens or encumbrances on record shall be delivered to the person holding the next lien or encumbrance upon said motor vehicle trailer or semi-trailer and be retained by such person until the entire amount of such lien or encumbrance is fully paid by the owner of said motor vehicle trailer or semi-trailer. A corrected certificate of title without statement of liens or encumbrances shall be issued by the department upon request of the owner when original certificate of title is returned with proper evidence that all said liens or encumbrances have been satisfied or when the original certificate of title cannot be returned and proper evidence is produced that all said liens or encumbrances have been satisfied or when the lien or encumbrance upon the motor vehicle trailer or semi-trailer has not been renewed within the three years immediately preceding the issuance of such corrected certificate of title providing that the computation of three years shall not include time before June first one thousand nine hundred thirty-seven

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margle,	Tyler,
Berger,	Heyburn,	Rahausen,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 373, on third reading, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or persons and of fiduciary powers by any other corporations conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 376, as follows:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jer-

sey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commissions all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor is hereby authorized to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement entitled "Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties" which was executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four and on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four such supplemental compact or agreement to be in substantially the following form

"Supplemental agreement between the Commonwealth of Pennsylvania and the State of New Jersey amending the Agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey Creating the Delaware River Joint Toll Bridge Commission as a Body Corporate and Politic and Defining Its Powers and Duties' by extending the jurisdiction powers and duties of the commission and defining such additional jurisdiction powers and duties

Whereas The Delaware River Joint Toll Bridge Commission (hereinafter referred to as the 'commission') was created by a compact or agreement entitled 'Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties' executed on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its General Assembly approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1352) as last amended by an act of said General Assembly approved the eighteenth day of May one thousand nine hundred and thirty-three (P. L. 827) and executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty-four pursuant to an act of its Senate and General Assembly approved June eleventh one thousand nine hundred and thirty-four (chapter 215 laws of 1934 R S (1937) 32:8-1) to which compact or agreement the consent of the Congress of the United States was given by section 9 of an act of the Congress approved August 30 1935 (Public No 411 74th Congress 49 Stat 1051 1058) and under the provisions of which compact or agreement

the commission was authorized to administer maintain and operate certain bridges over the Delaware river and now maintains and operates the same as joint State owned free bridges and

Whereas Because of the great increase in traffic and loads over said bridges since their construction many of said bridges are now inadequate or unsafe and it will be necessary to rehabilitate or replace some or all of said bridges with new bridges at the same or different locations in order to provide safe adequate and convenient facilities for traffic crossing the Delaware river and

Whereas It is necessary that the commission have power to issue and sell its bridge revenue bonds for rehabilitating or replacing existing bridges with new bridges at the same or different locations for acquiring or constructing additional bridges and for refunding any bridge revenue bonds of the commission and that the commission also have power to fix charge and collect tolls rates rents and other charges for the use of any such new bridge or bridges now therefore

The Commonwealth of Pennsylvania and the State of New Jersey do hereby solemnly covenant and agree each with the other as follows

(1) Article IX of the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate on behalf of the Commonwealth of Pennsylvania by its Governor on the nineteenth day of December one thousand nine hundred and thirty-four and was executed on behalf of the State of New Jersey by its Governor on the eighteenth day of December one thousand nine hundred and thirty four be and the same is hereby amended to read as follows

ARTICLE IX

The commission shall make annual reports to the Governors and Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey setting forth in detail its operations and transactions and may make such additional reports from time to time to the Governors and Legislatures as it may deem advisable

(2) Article X of said Agreement be and the same is hereby amended to read as follows

Notwithstanding any other provision of this Agreement the commission shall have the following powers

(a) The commission may acquire construct rehabilitate improve maintain repair and operate bridges for vehicular or pedestrian traffic across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey at any locations north of the boundary line between Mercer County and Burlington County in the State of New Jersey as extended across the Delaware river to the Pennsylvania shore of said river

(b) The commission may replace any one or more existing bridges across the Delaware river between the Commonwealth of Pennsylvania and the State of New Jersey north of said line with one or more new bridges at such locations as the commission may determine to be adequate and convenient for the traffic to be served thereby

(c) The commission may acquire by purchase or by the exercise of the power of eminent domain any existing ferry or bridge the acquisition of which the commission may determine to be necessary or advisable in connection with the construction of a new bridge the cost of such acquisition to be deemed to be a part of the cost of such construction

(d) The commission may enter upon use occupy enlarge construct and improve any street road or highway located within the limits of any municipality and deemed by the commission to be necessary in connection with the acquisition construction improvement maintenance or operation of any bridge owned or operated by the commission or of any bridge approaches bridge plazas or approach highways to any such bridge subject however to the consent of the governing body of such municipality and to such reasonable police regulations as may be established by such governing body

(e) The commission may demolish and remove any bridge now operated by it when such bridge has been or is being replaced by a new bridge at the same or a different location which in the determination of the commission will serve substantially the same traffic as that served by such existing bridge and the commission may sell or otherwise dispose of any ferry or other property of the commission deemed by it to be no longer useful or needed for the purposes of the commission

(f) The commission may acquire for the purposes of this article any real property which it shall find necessary or convenient to acquire for public use in the manner provided by Article III of this Agreement or in the alternative in the Commonwealth of Pennsylvania in the same manner and with the same right of entry as the highway department of the Commonwealth may acquire lands by condemnation for highway purposes and in the State of New Jersey in the same manner and with the same right of entry as the highway department of the State may acquire lands by condemnation for highway purposes

(g) The commission may make and enforce such rules and regulations with respect to the use of any bridge operated by it as it shall deem proper and reasonable including regulations limiting the loads permitted on any such bridge and closing to traffic any such bridge deemed by the commission to be unsafe

(h) The commission may provide from time to time for the issuance of its bridge revenue bonds for any one or more of the following purposes (1) providing funds for the acquisition construction rehabilitation or improvement of any one or more bridges the acquisition construction rehabilitation or improvement of which is herein authorized (2) providing funds for the construction or improvement of approach facilities deemed by the commission to be necessary or desirable in connection with the acquisition construction maintenance or operation of any bridge owned or operated by the commission including but without limitation bridge approaches entrance plazas overpasses underpasses and approach highways and (3) refunding any bridge revenue bonds or bridge revenue refunding bonds of the commission The bridge or bridges (including any approach facilities) on account of which a single issue of bonds shall be issued as herein authorized shall constitute a single project for financing purposes

(i) The commission may fix charge and collect tolls rates rents and other charges for the use of any bridge or bridges constituting a single project such tolls to be so fixed and adjusted subject to any applicable Federal law as to provide funds at least sufficient (1) to pay the cost of maintaining repairing and operating such bridge or bridges including the administrative expenses of the commission chargeable thereto (2) to pay the bridge revenue bonds or the bridge revenue refunding bonds issued on account of such project and the interest on such bonds and (3) to provide reserves for such purposes provided however that no tolls shall be charged or collected for the use of any bridge now operated by the commission as a free bridge but only for the use of bridges constructed or acquired by the commission under the provisions of this compact or agreement Subject to any applicable Federal law the commission may pledge such tolls rates rents and other revenues or any part thereof for such purposes The commission may establish separate schedules of tolls rates and charges for use of any bridge on which tolls may be established hereunder by residents of areas adjacent to or served directly by such bridge under such conditions and on such terms as its shall determine to be proper and reasonable including tolls rates and charges for unlimited use of any such bridge

No member of the commission shall be subject to any personal liability or accountability by reason of any act or omission of the commission

Section 2 Upon its signature on behalf of the Commonwealth of Pennsylvania and the State of New Jersey the supplemental compact or agreement hereinabove set forth shall become binding and shall have the force and effect of an act of the General Assembly of the Commonwealth

of Pennsylvania and the commission shall thereupon become vested with all the powers rights and privileges and be subject to the duties and obligations contained therein as though the same were specifically authorized and imposed by statute and the Commonwealth of Pennsylvania shall be bound by all of the obligations assumed by it under such supplemental compact or agreement and the Governor shall transmit an original signed copy thereof to the Secretary of the Commonwealth for filing in his office

Section 3 The Governor is hereby authorized to apply on behalf of the Commonwealth of Pennsylvania to the Congress of the United States for its consent and approval to such supplemental compact or agreement

Section 4 Nothing contained in this act nor in the supplemental compact or agreement authorized by this act shall be deemed to supersede abrogate or repeal in any way any powers heretofore granted to the commission This act and said supplemental compact or agreement shall be regarded as conferring supplemental and additional powers to the commission and shall not be regarded as being in derogation of any powers now existing

Section 5 The act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1023) entitled "An act authorizing the Department of Highways to enter into an agreement or agreements with the Highway Commission of the State of New Jersey for the construction under certain terms and conditions of a free bridge across the Delaware River at or near Yardley granting certain powers to the Department of Highways in connection with said construction and making an appropriation" is hereby repealed

All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 This act shall become effective immediately upon its signing by the Governor and the passage by the State of New Jersey of a substantially similar act embodying the supplemental compact of agreement between the two States hereinabove set forth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margle	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DISIVestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three

of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 428, as follows:

An Act to amend sections two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An Act providing for the construction erection and maintenance of of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act providing for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" is hereby amended to read as follows

Section 2 The Department of Highways shall have the right and the power to acquire by gift purchase or condemnation such easements right of ways and other rights in real estate as may be necessary for the construction erection maintenance and protection from encroachment of such roadside rests. The cost of planning acquisition construction and erection of any on rest shall not exceed [twenty-five hundred dollars (\$2500)] thirty-five hundred dollars (\$3500) The power of eminent domain for the purpose of condemnation of such easements right of ways or other rights in real estate shall be exercised in the same manner as is now or may hereafter be provided by law for the condemnation of property in changing the widths lines and locations of State highways When and if such easements right of ways and other rights in real estate are acquired they shall become part of the highway route on which they are located or to which they are adjacent

Section 2 Section five of said act is hereby amended to read as follows

Section 5 The cost of the planning acquisition construction and erection [and maintenance] of such roadside rests shall be paid out of moneys in the Motor License Fund and such moneys as may be necessary for this purpose not to exceed [one hundred fifty thousand dollars (\$150,000)] two hundred twenty-five thousand dollars (\$225,000) are hereby specifically appropriated to the Department of Highways

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz	Mallery,	Taylor,
Becker,	Haluska	Margie,	Tyler,
Berger,	Heyburn	Rahausen,	Wade,
Blass,	Holland	Rosenfeld,	Wagner,
Carr,	Homsher	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Willson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 432, on third reading, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 439, as follows:

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine

hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distribution to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as added by the act approved the eighteenth day of May one thousand nine hundred and forty-five (P. L. 803) is hereby amended to read as follows

Section 10 Disposition and Use of Tax * * * * *

(b) The county commissioners may allocate and apportion moneys from the county liquid fuels tax fund to the political subdivisions within the county in the ratio as provided in this subsection Provided however That when the unencumbered balance in the county liquid fuels tax fund is greater than the receipts for the twelve months immediately preceding the date of either of said reports the county commissioners shall notify the said political subdivisions to make application within ninety (90) days for participation in the redistribution of the said unencumbered balance and distribute the said unencumbered balance to the said political subdivisions making application therefor in the following manner: fifty per cent (50%) of said moneys shall be allocated and apportioned among the political subdivisions within the county in the ratio which the total mileage of all roads and streets maintained by the several political subdivisions making application bears to the total mileage of all such roads and streets maintained by such political [subdivision] subdivisions in the county as of January first of the year in which an allocation is made and Provided further That the remaining fifty per cent (50%) of said moneys shall be allocated and apportioned among the same subdivisions on a population basis in the ratio which the population in each such subdivision of the county making application bears to the total population of [the whole county] such political subdivisions Provided further That in the case of an emergency and upon approval of the Department of Highways the county commissioners may enter into contracts and obligations for the expenditure of the estimated liquid fuels tax receipts for a period not exceeding two years and receive a credit for such expenditures against such subsequent receipts And provided further That except in the case of an emergency as heretofore authorized no county shall carry over any credit balance against future fuel tax receipts from year to year and any credit balance now carried

on the reports or in the records of the county commissioners the department or the Department of the Auditor General are hereby specifically invalidated and declared null and void

* * * * *

Section 2 This act shall become effective on the thirtieth day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz	Mallery,	Taylor,
Becker.	Haluska	Margle,	Tyler,
Berger,	Heyburn	Rahausen,	Wade,
Blass,	Holland	Rosenfeld,	Wagner,
Carr,	Homsher	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 461, as follows:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by allowing State airports to be leased for periods not to exceed five years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal

Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby further amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * *

(i) To rent to individuals firms or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year except that State owned airports or any part of the facilities thereof may be leased for terms not longer than five years

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—46.

Barr,	Geltz	Mallery,	Taylor,
Becker,	Haluska,	Margle,	Tyler,
Berger,	Heyburn,	Rahausen,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 465, as follows:

An Act to add section five hundred twenty-six to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive

and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the purchase maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission for official use and for the payment of charges therefor into the Motor License Fund and appropriating the same to the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof a new section to read as follows

Section 526 Aircraft for Official Use All aircraft required for the proper conduct of the business of the several administrative departments boards and commissions and the officers and authorized agents of the General Assembly or of either branch thereof shall be purchased and maintained by the Pennsylvania Aeronautics Commission The use of such aircraft shall be charged by the commission to the using agency The amount of such charge shall be paid into the Motor License Fund and be credited to the amounts appropriated therefrom for the use of the Pennsylvania Aeronautics Commission All amounts so credited are hereby appropriated to the Pennsylvania Aeronautics Commission for the same purposes as other appropriations out of the Motor License Fund for the use of the commission

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahouser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 470, on third reading, entitled:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 493, on third reading, entitled:

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbert ice and fruit ice including coated ice cream and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbert ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 513, as follows:

An Act to further amend section one hundred thirty-three clauses (b) (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it

shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" further regulating plans to merge and the merger of school districts transportation and routes and contracts pertaining thereto.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred thirty-three and clauses (b) and (e) of section eight hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended or added thereto by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 491) are hereby further amended to read as follows

Section 133 [Whenever the county board of school directors and the board of school directors of each of the school districts affected of any county shall deem advisable said boards with the advice of the county superintendent and pursuant to the standards and regulations promulgated by the State Council of Education shall prepare and submit to said council a plan for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units] The State Council of Education shall review and approve or disapprove all plans for the merger of school districts or parts of school districts and for the reorganization of administrative units and attendance areas submitted by county boards of school directors in accordance with the prescribed standards and regulations

Section 814 The county board of school directors shall have power and its duty shall be

* * * *

(b) [To advise local boards and make recommendations to them regarding all free transportation routes and contracts to be used after the first day of July one thousand nine hundred thirty-eight] To approve or disapprove transportation routes and contracts in all districts under the supervision of a county superintendent subject to the approval of the Department of Public Instruction

* * * *

(e) To prepare county-wide plans for the merger of school districts or parts of school districts and for the reorganization of attendance areas and administrative units and to submit the same to the State Council of Education [and to the court of common pleas in accordance with the provisions of this act] on or before the first Monday of July one thousand nine hundred forty-eight If the merger plans are approved by the State Council of Education the county board shall cause such plans to be submitted to the electors in accordance with the procedure outlined in section one hundred thirty-four of this act If the electors do not assent to the merger revised plans shall be submitted within five years in accordance with the foregoing procedure

Section 2 The second paragraph of section one thousand four hundred four of said act as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2583) and by the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) is hereby further amended to read as follows

Section 1404 * * * *

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any resident

pupil to and from the public schools In all school districts under the direction of a county superintendent all transportation routes to be used after the first day of July one thousand nine hundred thirty-eight shall be established with the advice and assistance of the county board of school directors District owned school buses may be used under contract with another school district to transport nonresident pupils provided the transportation is approved by the county board of school directors and the Department of Public Instruction In any case where after such date two or more such school districts jointly use the same transportation facilities the cost of such transportation shall subject to the approval of the State Council of Education be apportioned among such districts by the county board of school directors The State Council of Education shall prescribe and adopt standards and regulations including qualifications of school bus drivers to govern the transportation of public school pupils All vehicles hereafter purchased or placed in use for the transportation of pupils whether owned or hired by the school district shall conform to standards prescribed by the State Council of Education Such standards when promulgated by the State Council of Education may be revised not oftener than once each year and whenever new requirements are made they shall be published at least six months before they shall become effective and shall apply only to vehicles thereafter purchased or put in use

Section 3 Subsection (f) of section one thousand four hundred six of said act as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby further amended to read as follows

Section 1406 * * * *

(f) If the Department of Public Instruction [approved] approves the transportation [as to methods] and means and the contracts provided therefor the Commonwealth will pay annually the amounts provided for by this act to the school district furnishing such transportation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. DENT. Mr. President, in order that there may be an explanation of our negative vote on this side, I just want to state that on page 3 of this bill you will notice you are tearing down a little further the strength of home rule in the Commonwealth of Pennsylvania. Prior to passage of this particular act county school boards and school directors had some say as to mergers and reorganizations of attendance areas and administrative units. However, if you will read the amendment you will find that the State Council of Education will now have complete say and shall review and approve or disapprove all plans for the merger of school districts or parts of school districts, and so forth. This deliberately takes out of the hands of the local school boards any authority whatsoever in the management of their own affairs relative to this phase of the school problem.

Mr. HOMSHER. Mr. President, the vote has been taken and it is past the time for discussion on the bill, but I do want to say it does not take out of the local districts the decision as to whether they want to consolidate or not, and it does not place that power in the hands of the State Council of Education because, whenever a county board makes a proposal for consolidation, the State Council may approve it but each school district must vote on the project, and it does not carry back to

the board of directors, but direct to the people in each respective district, and if the people in any one of the districts do not approve of that plan of consolidation, they are dropped out of the picture and the matter can be considered again within the five-year period.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Becker,	Frazier,	Mallery,	Wade,
Berger,	Geltz,	Rosenfeld,	Wagner,
Blass,	Heyburn,	Scarlett,	Walker,
Carr,	Homsher,	Snowden,	Watson,
Crider,	Kephart,	Stevenson,	Wilson,
Crowe,	Letzler,	Tallman,	Wolfe,
Doehla,	Lord,	Taylor,	Wood, L. H.,
Farrell,	Mahany,	Tyler,	Wood, T. N.,

NAYS—14

Barr,	Holland,	Margle,	Stiefel,
Dent,	Jaspan,	Rahauser,	Tarr,
DiSilvestro,	Lane,	Ruth,	Woodring,
Haluska,	Leader,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. (Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1, page 3, line 8, by striking out all of said line; Amend Section 1, page 3, line 9, by striking out before the figure "(4)" the word "government".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

Mr. DENT. It is very difficult, Mr. President, to follow amendments, and to find the exact change made in a bill after the amendments are accepted but from what I gather, this eliminates the possibility of comparison in the school rooms of this form of government with any other form of government now existing or ever to become existent.

I just wonder sometimes whether that is strengthening the purposes or weakening the purposes of the bill. We all, of course, approve the idea of teaching our children

values and their individual responsibilities under this form of government, but I wonder if we are not stepping a little too far when we deny the right of comparison with any other form of government.

I take the position, Mr. President, that by comparison my form of government stands so far above any other existing form of government that it would be a good thing to compare it in the school rooms with any form of government now known to the human race, and I believe that this comparison in itself will further educate the children as to the value of maintaining a strong democratic form of government.

Therefore, Mr. President, I am prepared to vote, I suppose futilely so, to oppose this amendment, if that is what it does but I say I can not clearly understand the full intent of the amendment because, unless the bill is printed with the amendment in, it would be impossible to analyze the amendment properly.

I suggest, therefore, Mr. President, that the bill go over in its order, as amended, without approval of the bill as amended.

Mr. GELTZ. Mr. President, all this amendment does is to close the door to radicals that we may have in the school teaching profession or in our public school system. The words in this bill "In comparison with economic systems in force under other forms of government" are stricken out by the amendment and that is just as this bill should be.

Mr. President, there is not one of us in this Senate who does not believe that our form of government can stand up against any type or form of government which we have in the world today, certainly by comparison, but the situation is such that we have today professors and school teachers who teach the communistic form of government and the economic principles of communism, and who do not in fact teach the principles of this government, and give as their excuse the fact that our youngsters understand our form of government and our economic system and they do not need to be taught it, but they do not understand the others. This would again open the door and give them a legal reason for teaching communism and the economic system under the communistic form of government. We feel that the door should be closed and they should be given to clearly understand, insofar as our school system is concerned, we want the lessons taught which will show them the value and the fineness of our form of government, and we are not concerned then about communism.

Mr. DENT. Mr. President, I, of course, wonder whether you can keep a nation in ignorance by refusing to allow the minds of the children to be opened by giving them whatever information you have about any form of government. We complain bitterly, and justly so, that the iron curtain of Russia forbids the indoctrination into its people of the knowledge that we hold so dear here in this country, of the value to the individual of the freedom such as we enjoy under our form of government. Russia does not allow its children to be taught anything except the Russian communistic form of government; they are not permitted any comparison between their type of government and that of any other nation.

Are we to take a leaf from the communistic book?

Are we to accept their type of suppression in order place upon our children the same brand of ignorance?

I say to you that I teach my children the various forms of religious belief as I know them. They go to the church that I go to, but if at any age or in any stage of their lives they decide to leave the church that I go to and go to a church of their own choosing, they shall be welcome to do so, because I believe only by giving to each individual the knowledge that we have as a group, can that individual measure up to the standards of the group that he presents himself in.

I am not afraid that this country will suffer by comparison, I am not afraid of it at all, but somebody evidently is afraid of it. I wish every person in Pennsylvania could read this bill, I wish every person in Pennsylvania could read this bill as it was originally placed in the Senate hopper, and then take the bill as it now is before the Senate. In it you will find this amendment, and you will see on Page 1, Page 2 and Page 3 of the bill—there are only three pages to the bill—that every time the word “democracy,” every time the words “American Democracy” appear, they have been stricken out—they have been stricken out—the words “American Democracy” are no longer contained in this bill, because as the bill first read it said “a thorough and complete education in the history of American democracy, its principles, ideals and advantages, the function and place of the federal, state and local government systems under American democracy” and so on and so forth.

Mr. President, as we find this bill now amended the words “American democracy” have been taken out, and we find inserted the words “the American form of government, its principles, ideals and advantages, the function and place of the federal, state and local government systems and the American form of government.”

What is the American form of government? To my mind it is a democracy. If it is not a democracy then I have been misled and the thousands upon thousands of lads who lost their lives in this war and the first world war, who thought they were fighting in a democratic army in a group of allied democrats against the Facist and the totalitarian nations of the world, they too have been misled.

I believe this to be a democracy, it is my idea and my conception of a democratic form of government, and I say to you the bill which is now presented to this Senate is a misnomer, it does not stand out to do what it originally intended to do.

I did not interrogate the gentleman who presented the bill, because the changes were not made at his instigation, they were made in committee, and I have not heard a reasonable explanation for the change. Why the words “American democracy” were taken from this bill will always be a mystery until somebody explains it.

Mr. WALKER. Mr. President, the need for this bill becomes more apparent every day. First, may I respectfully suggest to the gentleman from Westmoreland, as I understand this bill, the purpose is to teach the American form of government in the schools in Pennsylvania and to permit the Department of Public Instruction to set up curricula that will properly do that.

With regard to his real objection to the amendment

now before us, and which I think has finally crept out on the floor of the Senate, that is, the objection to the striking out of the words “American Democracy” which was done by the committee, and substituting in lieu thereof the words “the American form of government”—his objection to it as being misleading, to use the word, “misnomer,” in the striking out of those words, is perhaps in itself, further proof that we should teach in our schools the principles of the American form of government, because it is my understanding, or perhaps it is because of the fact that it was not properly taught in school when I attended, but it is my understanding of our form of government that it is a representative form of government commonly called in parlance a Republic; it has nothing to do with any of the major political parties involved. The striking out of the word “democracy” has nothing to do with the great political party represented by the gentleman from Westmoreland. He is not objecting to the striking out of the word “democracy”; he is objecting more or less to the inuendo that might be classified as a slur upon the great party he represents. That is not the purpose of the amendment at all.

The amendment now suggested, and as now before us, is simply to carefully submerge any attempt on the part of anybody so inclined to start comparing forms of government. If anybody who is a student of government desires to study the various forms of government which we have in the various nations all over the globe that can be done, but in our public schools, when the school teachers in Pennsylvania are molding the thought and crystallizing the opinions of our school children, the thing we are anxious to do is see to it the formula implanted in those juvenile minds is a clear picture of the American form of government, not to necessarily close their minds to any other form of government, but to see to it, just as when they are children and they go to church, whether they go to a Presbyterian church, whether they go to a Catholic church or whether they go to a Methodist church, the doctrines of that particular religion are implanted in Sunday School in the minds of those children, not in an attempt to close the door to any other type of religion, but in an attempt to see to it that those doctrines are explained and taught to the children, and the same thing, Mr. President, is true in the amendments now before us. The issue is very clear. It is not a question of closing the minds of the children or closing the door to their education, but it is to see to it that in our public schools, when the juvenile minds and their thoughts are being crystallized, the school teacher is given full opportunity to teach the American form of government, and that was the objective that the sponsor had in mind when the bill was introduced.

Mr. DENT. Mr. President, I will comment first on the last statement made by the gentleman from Allegheny—if that was the objective the sponsor had in mind when he introduced the bill, why did you not leave it in that form. The bill as originally, presented by the gentleman from Clinton, was a very fine piece of law and one that should be passed by this General Assembly, but after you are through with the amendment, I will

say to you you are presenting to the people of Pennsylvania a monstrosity.

And I might say to the gentleman that suspicion is the ugliest word in the English language, and when he is suspicious, that I am a little bit afraid disparaging reference to my political party by striking out the words "American democracy," he is certainly stretching his imagination a long way, because that never entered my mind.

As to the question of motive, Mr. President, I think every man in the Senate knows that when I have something to say I usually say it, I do not usually have somebody else interpret what I intend to say and say it for me. I do not know what is in the mind of the gentleman from Allegheny, if anything. I am not a bit disturbed about what he is thinking. I am only able to criticize the remarks as they are made, not what he intended to say but entirely from what he said.

I say to you that when you take out the word "American democracy" you are destroying the original intent of the bill. I say to you this is a democracy, it is a representative democracy, it is a form of government known since the early days of civilization, and it is the only lasting or enduring democracy that has ever been created outside of probably the direct democracy known as Switzerland.

So, Mr. President, I say to the gentleman from Allegheny this is a democracy and as such should be represented in printed form in this bill. I have not heard anybody tell me why they did not stop the boys from marching forward to save a democracy that did not exist.

Mr. HOLLAND. Mr. President, I was talking to an attorney in Pittsburgh last Saturday and he told me, in discussing another attorney in this Senate, that he never heard any lawyer go before a jury and confuse the jury more than a certain Senator.

I certainly agree with this other attorney, because I never heard more confusion in so few words as just spoken by the gentleman from Allegheny, Mr. Walker. I think Mr. Walker wears a Legion button and was in the First World War, and I wonder if he ever heard the slogan "To make the world safe for democracy," because the boys were filled with that morning, noon and night and at retreat, it was day in and day out. In this War I have never heard anybody address the troops, either in the United States or in England before the invasion and tell them they were fighting to save a republic. We all admit we have a republic but the word democracy by usage has gotten to be impressed upon the minds of every American. Democracy means freedom, and that is what is in their minds. It is a government of the people and by the people in the truest sense of the word.

I hate to hear, Mr. President, as the gentleman from Allegheny said, that he does not have enough faith in the American way of life to compare it with what is being used in Russia today in the Soviet Republic. I want to compare our form of government in America with any other form of government. I want to compare our form of labor movement in American with that of the Soviet form of labor movement because it is freedom

in our government, but not in theirs. How can you teach any form of government if you are going to put an iron curtain around America and teach only one way? I have never heard in any of the speeches made by Hitler, and I have read a lot of them, anything like that used in this Senate tonight. When they were talking about teaching the youth movement in Germany, they were allowed to teach them their way and their way only, they were not allowed to teach any other form of government, and for him to get up here and say we can teach only one form of government, that is not American, and that is not what the boys fought for. There is no reason why we should not compare it, because by comparison our government is stronger.

I think we have gone far afield. I think we should make the people more familiar with our form of government, and how much better it is than other forms of government in the world, but, to come in here and say you are going to dictate what is to be taught in the schools, as legislators, I oppose it.

For years in America the National Electric Light Association, which was proved by investigation, all Republicans I might say, before Roosevelt they had control of the school system and the school books in America, and so had the Manufacturers Association, which was proved by investigation, and I am a little bit worried about what is in the mind of the gentleman from Allegheny, Senator Walker, and I do not think it was the intent of this bill. If he wants to teach his way of thinking, I am sorry. That is not America, that is not the democracy that the boys fought for, and I say to you, by the cutting out of any comparison of economic systems in other forms of government, that just puts that iron curtain we have talked so much about right in front of the Statue of Liberty in the harbor, because here was the place the people came to and could study every form of government on the face of the earth, and by living the democracy we have in America, they chose to live in America and become citizens of America. This is turning the curtain back, and I am sorry to say we are doing only one thing, adopting the system used in Russia, used by the Facists in Italy and the Nazis in Germany, of teaching the boys and girls in school only one side of the question. That is not the American way of education.

Mr. WALKER. Mr. President, I am aware of the fact that we have wandered very far from the routine rules of the Senate.

However, Mr. President, I would like to say very respectfully to the gentleman from Allegheny, Senator Holland, that in the First World War, in which he and I both had the privilege of participating, I think the slogan then was that that was the war to end all wars. We heard that repeatedly, before and after the war, and I heard the slogan "again make the world safe for democracy" and with that slogan I have no quarrel.

I listened with a great deal of interest to the complaints of some opposing attorney who was probably on the other side of the case from me, which he did not win, and he thought I confused the jury. I accept the indictment. I have never lost a case yet that I did not think the other side was unfair or that the jury was kind of stupid, and I have no objections to winning any case in any

court even if the other side accuses me of confusing the jury, but when he suggests that I confuse the minority party here in the Senate he is crediting me with too much ability—you can not confuse those sharpies on the other side, they are too smart for that.

With regard to the issue before the Senate, and that is the question of teaching the American form of government in our public schools, we are not dealing with the mature minds of college students, where government might be taught, and may I again respectfully refer the gentleman to the fact that in the Catholic Church, the Presbyterian religion is not taught, and neither in the Presbyterian Church is the Catholic religion taught, they stick to their own knitting, and whether or not that meets with the approval of the Final Arbitrator, that is something we will never decide here on this earth.

In our American schools, if we decide we would like to teach the American form of government, I think that is a privilege for us to offer the children, and the issue is not whether or not the communistic form of government might be better than a representative form of government. The issue is, whether or not we will permit the State Department of Public Instruction to prepare curricular to teach the children of Pennsylvania the American form of government and that, Mr. President, is not confusing. These gentleman are not jurors, but many of them are learned in the law and they recognize the fact that is the issue before us, and there is no attempt to equivocate with either of the major political parties. The question is whether or not we will teach the American form of government in our public schools.

Mr. TARR. Mr. President, I sat back there and listened with a great deal of both pleasure and discomfort at the terrible panning the teaching profession in Pennsylvania has taken here this afternoon. I want to say, as a member of the teaching profession, as well as being a member of this august body, I resent very much the inference that the teachers of this Commonwealth are not fitted and in their own minds do not know the proper way of teaching American government.

In my first year of teaching, by comparison, I tried to show the children in my school room the dangers of alcohol. I took a glass of water and a glass of whiskey and put them on my desk, and I put a fishing worm in the glass of water and it swam around. Then I took it out and put it in the whiskey glass and it died. I then asked one of my little kiddies there if he knew what that comparison showed. He said, yes, if you drink whiskey you will not have worms.

But, Mr. President, to become more serious, the implications here this afternoon are that if we permit the teachers of this Commonwealth to teach and tell about other forms of government they are not going to like our form of government.

Mr. President, through no fault of my own, I was privileged to see some thirty-four different governments in operation in this world and I, Mr. President, going back to the school room this September, have a deeper and a fuller regard for the American way of government and the American way of life than for any other. There need not be any law put on the books prohibiting me from telling anything good about any other government

in the world, because there is no other government, and the average school teacher in the Commonwealth does not need any legislation on the books to tell him whether he can teach about another form of government. We can only learn by comparison. I hope we do not have to use worms, Mr. President, but I do honestly hope that we see the logic of this thing, and not tie the hands of the teachers who in this Commonwealth are doing a mighty fine job.

Mr. FRAZIER. Mr. President, I desire to interrogate the gentleman from Allegheny, Senator Holland.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated—

Mr. HOLLAND. Very gladly, Mr. President.

Mr. FRAZIER. Mr. President, I suppose a stupid lawyer from Philadelphia should not get into this Pittsburgh tangle. While this discussion has been going on I rather thought that Senator Walker had a little bit the better of it—but while the discussion was going on, I have been reading the bill and I would appreciate it very much if the stupid lawyer from Philadelphia could be informed as to what part of this bill prohibits the teaching of anything but the American form of government.

Mr. HOLLAND. Mr. President, in the amendment we just accepted. I am awfully glad a poor layman from Allegheny county, from the South Side of Pittsburgh, a member of the United Steel Workers of Pennsylvania, is able to give information to the learned lawyer from Philadelphia.

Mr. ROSENFELD. Mr. President, I just want to make one observation. There has been a lot of debate and a lot of talk about issues. I do not know what were the motives of the sponsor of the amendment, but I would like to say that the amendment does not do what has been argued about on this floor. The amendment does not prevent a comparison of different governments with that of the United States, because it still provides for a thorough and complete education in the economic system functioning under the American form of government, and the advantages thereof, and those who choose may very well include comparisons and there will be nothing in the bill which will prevent those comparisons. That is the observation I want to make.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 534, on third reading, go over in its order until the amendments are printed. There seems to be utter confusion on both sides as to what these amendments do.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 548, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school

system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis for Commonwealth subsidies and excluding teachers employed to teach such veterans from the tenure provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with three provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 688) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 401 * * * * *

Every board of school directors shall have authority and are hereby empowered to enter into contracts with the Federal Government or any agency thereof for the education of veterans in the public schools of the district

Section 2 Section one thousand two hundred five of said act as last amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 587) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 1205 * * * * *

Nothing in the foregoing shall be construed as requiring any board of school directors to give a professional employe contract to any teacher employed in connection with courses being conducted by such school district for veterans under the terms of a contract between such school district and the Federal Government or any agency thereof and no teacher so employed shall be regarded as having attained tenure status in the school district by reason of such employment

Section 3 The first paragraph of section one thousand two hundred forty-two of said act which section was added by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1112) is hereby amended to read as follows

Section 1242 Every school district and every vocational school district shall be paid by the Commonwealth for the fiscal years 1945-1946 and 1946-1947 on account of the instruction of all pupils in average daily membership in the district's public schools and joint elementary schools an amount to be determined by multiplying the number of teaching units based on the number of all pupils in average daily membership in the district's public schools and joint elementary schools by one thousand eight hundred dollars (\$1800) and by the district's standard reimbursement fraction Provided That the attendance of pupils being educated in the public schools of a district under contract with the Federal Government or any agency thereof shall not be included in determining the number of teaching units upon which such payments are based

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I desire to interrogate the sponsor of this bill.

The PRESIDENT. Will the gentleman from Schuylkill permit himself to be interrogated?

Mr. WAGNER. I will, Mr. President.

Mr. DENT. Mr. President, I wish the gentleman from Schuylkill would make clear for me the full meaning of this bill, Page 3, lines 12 to 19, which state that any teacher that is employed under the veterans program, teaching in Pennsylvania, does not have any standing under the tenure act and would not receive credit for that professional period of teaching under the tenure act. I can not understand the significance of that. Are we denying those special teachers, or teachers that come into Pennsylvania under the G. I. Bill, any of the rights under the school teacher's tenure act in Pennsylvania?

Mr. WAGNER. The purpose, Mr. President, of the bill, which is requested by the Department of Public Instruction, is that there will be cooperation by the state with the federal government in giving instruction in various fields to veterans, which could very easily involve special teachers and teachers for specific periods of time, and there is no reason why they should be included under the tenure act in Pennsylvania. It would not involve teachers who are currently employed because most of them would have to be special employes. I do not know the answer to the whole proposition, but I do know in certain districts even farmers have been taken into school districts to instruct veterans who want to be directed along agricultural lines, and if those special teachers should be in for two or three years, there is no reason why they should then become professional employes under the tenure act, and not be dismissed when the job for which they were specifically hired has been completed.

Mr. DENT. I thank the gentleman from Schuylkill.

The question that came to my mind and still remains unsolved, is if instructors are brought in under the provisions of the federal bill, they are being paid jointly by the state and by the federal government and by the very fact that their salaries come from the federal government, you deny them status under our professional rating under the tenure act, so that these special instructors, under my interpretation of the tenure act, would not come under the tenure act requirements in Pennsylvania.

However, with this section in this bill, any person who is teaching, who may have all the qualifications of a regular teacher and be teaching regular subjects, so far as that person is concerned, if he is teaching any student in the room who comes under the provisions of the federal G. I. Bill or the federal act that controls the education of veterans, that teacher would be denied professional status. I do not believe the department wishes to deny anybody this right, but it certainly does so under the terms of this bill as it is now written.

Mr. WAGNER. Mr. President, I certainly do not construe this bill to do any such sort of thing. It was written to tie in with our present school system and it does not oblige the school board to give any employe hired

under such circumstances the status of a professional employe, but it does not deprive any person so qualified of that status.

Likewise, on the last page, the Senator from Westmoreland will find that this bill provides "that the attendance of pupils being educated in the public schools of a district under contract with the federal government or any agency thereof shall not be included in determining the number of teaching units upon which payments are based."

The whole thing clarifies clearly, to me at least, the status of teachers, and where they stop and start as professionals, and it does not clutter up our reimbursement system.

Mr. DENT. Mr. President, that question was raised and I put it as clearly as I could to the sponsor of the bill.

However, I am satisfied that he would not introduce legislation to deprive any professional employe of his status under the tenure act. I am willing to take his interpretation of the bill, and accept it as the sponsor says.

Therefore, believing the gentleman from Schuylkill to be acting in good faith, I ask my colleagues to vote for this bill.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz	Mallery,	Taylor,
Becker,	Haluska	Margie,	Tyler,
Berger,	Heyburn	Rahauser,	Wade,
Blass,	Holland	Rosenfeld,	Wagner,
Carr,	Homsher	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 555, as follows:

An Act to add section one thousand two hundred sixty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" prescribing penalties

for knowing falsifying reports or certificates in connection with reimbursements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding at the end thereof a new section to read as follows

Section 1264 Any officer of any school district who knowingly falsifies any report or certificate required to be made for the purpose of obtaining any reimbursement under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than three hundred dollars (\$300) nor more than one thousand dollars (\$1000) or undergo imprisonment for a term of not less than one (1) month nor more than six (6) months or both in the discretion of the court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 574, as follows:

An Act to amend section two hundred ten of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred ten of the oct approved the first day of June one thousand nine hundred forty-

five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 210 Relocation etc Abandonment as State Highway Vacation The secretary is hereby empowered to change alter or establish the width lines location or grades of any State highway or any intersecting road in such manner as in his discretion may seem best in order to correct danger or inconvenience to the traveling public or lessen the cost to the Commonwealth in the construction reconstruction or maintenance thereof After the relocation has been opened to traffic the secretary by notice to the local authorities shall abandon as a State highway route or vacate the section of highway between the termini of the relocation Where the new route in the judgment of the secretary supplies and takes the place of any part of the old highway and such part is of a length of not more than two miles the secretary being of the opinion that such part is unnecessary for public use and travel or burdensome or dangerous and having due regard for the convenience of access to the new highway by the owners of property abutting on such part may at any time by written order declare such part to be vacated Thereafter the part so vacated shall be closed to public use and travel and shall no longer be a public road Before any change or order of vacation is made the secretary shall first submit a plan of the proposed change and any proposed order of vacation duly acknowledged to the Governor and the same shall be approved by him and filed as a public record in the office of the department and a copy thereof shall be recorded in the office for the recording of deeds in the proper county at the expense of the department in a plan book or books provided by the county for that purpose The approval of such plan or plans by the Governor shall be considered to be the condemnation of an easement for highway purposes from all property within the lines marked as required for right of way and the condemnation of an easement of support or protection from all property within the lines marked as required for slopes All plans or orders so approved filed and recorded shall indicate the names of the owners or reputed owners of the land affected by taking or vacation and of lands abutting the same It shall be the duty of the recorder of deeds of each county to provide a plan book or books for the recording of such plans and orders and shall maintain an adequate locality index for the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	R. hauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 581, on third reading, entitled:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 588, on third reading, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing; revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 589, as follows:

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities Where the parties interested have entered into an agreement for the sharing of such damages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 523 Width Lines Grades and Location The department shall not change the width lines or grades of the streets taken over under the provisions of any act

of Assembly or any section thereof without the consent of the city evidenced by an ordinance duly passed in accordance with laws applicable thereto. In the event of any change of width lines or grades in accordance with the provisions of this section the city shall be responsible for the payment of any damages which may be occasioned thereby such damages to be ascertained and paid in accordance with the laws applicable thereto. Provided however That nothing contained herein shall prevent the county or the Commonwealth or both from contributing to or sharing in the payment of the damages occasioned by any such change of width lines or grades of a street under the terms of an agreement entered into by the interested parties for such purposes counties shall have power to expend county moneys or moneys allocated to the county by the Commonwealth for expenditure for highway purposes and the Department of Highways shall have power to expend moneys from the Motor License Fund.

Whenever it shall appear to the secretary that any part or portion of a State highway route in a city of the second class second class A or third class as now or hereafter defines or described is dangerous or inconvenient to the traveling public in its present location either by reason of width grade length curves or other conditions or that the expense to the Commonwealth in the construction or maintenance thereof could be materially lessened by a change of location the secretary may with the consent of the Governor and of the city expressed by ordinance or resolution change the location of such State highway route including the terminal points thereof to pass over existing streets or new streets laid out and opened by the city in such manner as in his discretion may seem best in order to correct such danger or inconvenience or lessen the cost to the Commonwealth. A plan showing the new location approved by the Governor and the mayor of the city shall be recorded in the office of the recorder of deeds in the county in which such city shall be located.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahausen,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Cridler,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, as follows:

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the

appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 6 of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Com-

missioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" is hereby further amended by changing the descriptions of Routes 161 247 and 253 to read as follows

Route 161 From Pottsville to Sunbury

Commencing Pottsville and running by way of Frackville Gilberton and Girardville [and] to a point near Centre and Twenty-first Street in Ashland thence to a point on the dividing line between Schuylkill and Columbia Counties thence by way of Centralia to a point on the dividing line between Columbia and Northumberland Counties thence by way of Mount Carmel Shamokin Paxinos and Stonington by way of Old Centre Pike in Sunbury Northumberland County

Route 247 From Pittsburgh to Uniontown

Commencing at a point on the boundary line of the city of Pittsburgh and running by way of Castle Shannon and Library to a point on the dividing line between Allegheny and Washington counties thence by way of Finleyville [and] to Monongahela City at West Main Street thence from Monongahela City to Charleroi thence over route one hundred and eighteen to Belle Vernon thence by way of Fayette City Star junction and Vanderbilt to Connellsville thence over route one hundred and seventeen into Uniontown Fayette County and by spur from Monongahela along the river through Donora thence westward to connect with the main route two hundred forty-seven

Route 253 From (Tionesta) Kellettville to Smethport

Commencing in Tionesta and running over routes ninety-two and ninety-eight to Nebraska thence by way of near Kellettville thence by way of Mayburg and Lynch to a point on the dividing line between Forest and Warren counties thence by way of Barnes to Sheffield thence over route ninety-five into Smethport McKean County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahouser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,

Carr,	Homsher
Crider,	Jaspan,
Crowe,	Kephart,
Dent,	Lane,
DiSilvestro,	Leader,
Doehla,	Letzler,
Farrell,	Lord,
Frazier,	Mahany,

Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tarr,

Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 603, on third reading, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

go over over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 626, as follows:

An Act to amend Section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" is hereby amended to read as follows

Section 511 Changing et cetera Width Grades or Lines of Highways Whenever in the construction reconstruction maintenance and repair of any State highway within the limits of any borough or incorporated town it shall appear to the secretary that any part or portion of such State highway within the borough or incorporated town is dangerous or inconvenient to the traveling public in the present location either by reason of width grades dangerous turns or other local conditions or that the expenses of the Commonwealth in the construction or maintenance and repair thereof would be too great or unreasonable and could be materially reduced or lessened the secretary with the approval of the Governor may change alter or establish the width grades or lines of any such State highway in a borough or incorporated town before or after construction reconstruction or improvement of the same not however exceeding the maximum width fixed by law for public roads

Whenever the secretary shall change alter or establish the width grades or lines of any State highway within a borough or incorporated town he shall cause a plan thereof to be made showing the line of State highway and the [established width thereof] changes thereon and shall attached thereto his acknowledgment Such plan and

acknowledgment shall be recorded in the office of the recorder of deeds of the proper county in the book kept for such purposes by the recorder of deeds All costs of the recording shall be paid by the county

All damages resulting from a change of width or of existing lines and locations under the provisions of this section shall be ascertained and paid as provided in Article III of this act

Whenever the secretary shall change alter or establish the widths grades or lines of any State highways within a borough or incorporated town it shall not be necessary to submit the plans therefor to the county commissioners for approval unless responsibility for the property damages is to be assumed by passage of a proper resolution of the county commissioners Borough councils by passage of a proper ordinance may adopt the plan of the department as and for the action of the borough in establishing the widths lines and grades and drainage structures as shown thereon and in such event the borough shall be responsible for settlement and payment of the resultant property damages or the borough may enter into an agreement with the secretary subject to the terms of a resolution of the borough council authorizing the same whereby the borough will pay the resultant property damages in whole or in part upon such terms as may be agreed upon with the secretary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr.	Geltz.	Mallery.	Taylor,
Becker.	Haluska.	Margie,	Tyler,
Berger.	Heyburn.	Rahauser,	Wade.
Blass,	Holland.	Rosenfeld,	Wagner.
Carr.	Homsher.	Ruth.	Walker.
Crider.	Jaspan.	Scarlett.	Watson,
Crowe.	Kenhart.	Snowden.	Wilson,
Dent.	Lane.	Stevenson.	Wolfe.
DiSilvestro.	Leader.	Stiefel.	Wood, L. H.,
Doehla,	Letzler.	Tallman,	Wood, T. N.,
Farrell.	Lord.	Tarr,	Woodring.
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 631, on third reading, entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 642, as follows:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribed penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section three of the act approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) is hereby further amended to read as follows

Section 563 The board of school directors of each school district of the second third or fourth class shall annually at least thirty days prior to the adoption of the annual budget prepare a proposed budget of the amount of funds that will be required by the school district in its several departments for the following fiscal year Such proposed budget shall be prepared on a uniform form prepared and furnished as hereinafter provided and shall be appointed to the several classes of expenditures of the district as the board of school directors thereof may determine Final action shall not be taken on any proposed budget in which the estimated expenditures exceed two thousand dollars (\$2000) until after ten days' public notice Provided however That nothing in this act shall be construed to prevent any school district whose total estimated expenditures do not exceed two thousand dollars (\$2000) from holding a public hearing The proposed budget shall be printed or otherwise made available for public inspection to all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The board of school directors after making such revisions and changes therein as appear advisable shall adopt the budget and the necessary appropriation measure required to put it into effect Within fifteen days after the adoption of the budget the board of school directors shall file a copy of the same in the office of the Department of Public Instruction In all school districts under the direction of a county superintendent the county board of school directors shall inspect the annual budget and shall render such advice and assistance regarding the same as may seem proper before the said budget shall be signed and forwarded to the department by the county superintendent

The board of school directors may during any fiscal year make additional appropriations or increase existing appropriations to meet emergencies such as epidemics floods fire or other catastrophies the funds therefor to be provided from unexpended balances in existing appropriations from unappropriated revenues if any or from temporary loans Such temporary loans when made shall be approved by a two-thirds vote of the board of school directors

The board of school directors shall have power to authorize the transfer [within the same fund] of any unencumbered balance or any portion thereof from one [spending agency] class of expenditure or item to another but such action shall be taken only during the last nine

months of the fiscal year [and except as hereinbefore otherwise provided no moneys apportioned to any class of expenditures shall be used for purposes other than designated for said class in said budget] The total amount of such budget shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in that district.

The uniform budget forms required by this act shall be prepared by the Department of Public Instruction which shall issue said forms and distribute them annually as needed to the school districts.

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 680, as follows:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 72 Expenses to Be Paid by County Time Limit on Meetings The actual expenses of the county commissioners county solicitor and chief clerk attending such meeting of said State association including traveling expenses and hotel bills actually paid by them expenses of committees together with the necessary expenses of the convention including printing and the employment of stenographers shall be paid by the various counties by orders drawn on the county treasurer The time spent in attending said meetings shall not be more than four days

exclusive of the time employed in traveling thereto and therefrom The expenses herein mentioned as the necessary expenses of the convention shall not be more than fifty dollars to any county per annum.

In addition thereto and for the purpose of coordinating and devising uniform economical and efficient methods of administering the affairs of the several counties the various questions and subjects pertaining thereto the necessary expenses incurred in connection with the carrying on of the work and the activities of said State association to effectuate such purposes shall be apportioned among the counties holding membership in said association in the amounts as provided for by the rules and regulations of said State association but shall not total per annum more than three hundred fifty dollars (\$350) for any county of the second class three hundred dollars (\$300) for any county of the third class two hundred fifty dollars (\$250) for any county of the fourth class two hundred dollars (\$200) for any county of the fifth class one hundred fifty dollars (\$150) for any county of the sixth class one hundred dollars (\$100) for any county of the seventh class or seventy-five dollars (\$75) for any county of the eighth class Provided That such assessments shall be approved at each annual convention of said State association by a majority vote of the members present.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 696, on third reading entitled:

An Act to further amend section eight hundred twenty-eight of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including, liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that the records are admissible as evidence; im-

posing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds," temporarily extending the suspension of the provisions thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. PRESIDENT, I ask unanimous consent that Senate Bill No. 727, on third reading, entitled:

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 738, as follows:

An Act to further amend subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of a duplicate certificate of title

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of

prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated town townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as reenacted and amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 212 Application for Title by Agent

* * * * *

(c) No person shall receive obtain or hold a certificate of title recorded in the name of another person for such other person who is not in the regular employ of or not a member of the family of such other person unless the person receiving obtaining or holding the certificate of title has a valid undischarged encumbrance recorded in the department against the vehicle represented by such certificate of title Provided That nothing in this section shall prevent the issuance of a duplicate certificate of title to any owner whose original certificate of title is being held by an employee or member of the family of the owner without the permission of such owner

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kebhart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DISilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 754, as follows:

An Act to further amend sections three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the employees' retirement fund and the retirement age of new employees extending the power of the retirement board in investing the

money of the retirement fund decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriations and in certain cases giving employes of such counties credit for time spent in military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred eighteen of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 191) is hereby further amended to read as follows

Section 318 Payment by Employes Each county employe shall each month pay into the retirement fund five per centum of the amount received by him or her as salary or wages during the preceding calendar month In no event however paying at a rate greater than [ten dollars (\$10.00)] fifteen dollars (\$15.00) a month Such amount shall be collected by the county treasurer and by him paid into the retirement fund No employe shall be entitled to a retirement allowance who does not make the monthly payment herein required

Section 2 Section three hundred nineteen of said act as amended by the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 840) is hereby further amended to read as follows

Section 319 Investment or Deposit of Fund [The board may in its discretion invest the money of the retirement fund or any part thereof in obligations of the United States or of this State or of any political subdivision of this State] The board shall have power to invest the money of the retirement fund or any part thereof subject to the terms conditions limitations and restrictions that are now or may hereafter be provided by law for investments of trust funds by fiduciaries or the retention or sale of certain investments in the hands of fiduciaries Subject to like terms conditions limitations and restrictions the board shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in the retirement fund as well as the proceeds of said investments and of the money belonging to said fund or it may deposit such moneys or any part thereof in one or more banks or trust companies of the county selected by the board The banks or trust companies offering to pay the highest rate of interest and that have a paid-in capital and surplus of not less than three hundred thousand dollars shall be selected A contract with a depository shall be for a period covering the term of the county treasurer No moneys shall be paid to a depository until it shall have executed to the board a bond for the proper safeguarding of the funds so deposited The bonds shall have such surety as is approved by the court of common pleas No moneys exceeding in the aggregate the amount of the bond shall be paid to any depository

Section 3 Section three hundred twenty of said act as last amended by the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 821) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances (a) Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance as herein provided for The time spent in the employ as a county employe need not necessarily have been continuous Provided That when any present employe has had twenty or more years of service not necessarily continuous and has reached the age of fifty

years and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall thereafter receive during life a retirement allowance as herein provided for And further provided That when any person entering the employment of the county after the effective date of this amending act has had twenty or more years service in the county not necessarily continuous and shall be separated from the service of the county by reason of no cause or act of his or her own upon notice to the board he or she shall have such rights and benefits pertaining to such persons entering the employment of the county after the effective date of this act as provided under section three hundred twenty-three of this act

(b) A county employe who became such through the consolidation of a city institution district with a county institution district may have the period of his city employment credited as county employment for all purposes under this act Provided That the said employe shall pay into the retirement fund the amount which he would have been required to pay into the said fund if he had been a county employe from the date of his original employment with the city And further provided That the city by which the said employe was formerly employed shall pay into the retirement fund an amount equal to that paid into the said fund by the said employe under the provisions of this act If such employe leaves the county employ at any time withdraws his contribution to the retirement fund as this act provides the city shall also have the right to withdraw its contribution and if such employe returns to the county employ and returns the amount withdrawn from the retirement fund plus interest as this act provides the city shall also return the amount withdrawn by it plus interest at the same rate Any city is hereby authorized and empowered to make an appropriation out of the funds of the city to the retirement fund as herein provided

(c) Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war or National Emergency so proclaimed by the President of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county.

Section 4 Sections three hundred twenty-one and three hundred twenty-two of said act as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) are hereby further amended to read as follows

Section 321 Exception in Favor of Persons Totally and Permanently Disabled Any [present] county employe who has been in employ for a period of not less than fifteen years shall be entitled to a retirement allowance if he or she becomes totally and permanently disabled even though such employe has not reached the age of sixty years

[Any county employe entering employment after the effective date of this act who shall be employed for a period of not less than twenty years shall be entitled to a retirement allowance if he or she becomes totally and permanently disabled even though such county employe has not reached the age of sixty years]

Proof of total and permanent disability shall be by the sworn statement of three practicing physicians of the county designated by the board Once each year the Retirement Board may require any person who is receiving retirement allowance by reason of total and permanent disability to undergo medical examination by a physician or physicians designated by the Retirement Board Should such physician or physicians thereupon report and certify to the Retirement Board that such person is no longer totally and permanently disabled or that such person is able to engage in a gainful occupation and should the

Retirement Board concur in such report then the amount of the retirement allowance shall be discontinued.

Section 322 Amount of Retirement Payment The retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the retirement allowance [except that an amount not exceeding ten per centum thereof shall be deducted in equal monthly installments and be paid into the retirement fund as the contribution to the said fund of the person receiving such retirement allowance from time to time as may be determined by the retirement board] and no person receiving a retirement allowance shall be required to pay any amount into the retirement fund. No retirement allowance shall exceed the sum of one hundred fifty dollars (\$150) per month. Retirement allowances shall be paid in monthly installments on warrant on the board.

Section 5 Sections three hundred twenty-three and three hundred twenty-four of said act as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 191) are hereby further amended to read as follows:

Section 323 Retirement Allowance After Leaving Service If any present county employe after twenty years service is dismissed or retires voluntarily or is in any other manner deprived of his or her employment before attaining the age of fifty or sixty years as the case may be such employe if he continues to contribute to the retirement fund monthly a sum equal to the last monthly contribution paid while in employ shall when he or she reaches the age of fifty or sixty years as the case may be be entitled to a retirement allowance.

Any person entering the employment of the county after the effective date of this amending act who after twenty years service in the county and before attaining the age of sixty years shall be dismissed from the service of the county by reason of no cause or act of his or her own and who desires to continue as a member of the retirement fund shall cease to pay any further amount into the said fund and shall notify the board in writing of this fact. When he or she shall reach the age of sixty years such person shall be eligible for a retirement allowance under the same conditions as if he or she had remained an employe of the county.

Any person entering the employment of the county after the effective date of this amending act who after twenty years service retires voluntarily before reaching the age of sixty years shall pay into the retirement fund monthly a sum equal to the last monthly contribution paid while in the employ of the county until he or she reaches the age of sixty years when such former county employe shall be entitled to a retirement allowance under the same conditions as if he or she had remained in the employ of the county.

Section 324 Refund of Contributions If any county employe contributing monthly to the retirement fund shall for any cause cease to be a county employe before he or she shall receive the benefits of the retirement allowances the total amount of the contributions paid into the retirement fund by such employe shall upon demand in writing be repaid to him or her or [to his or her personal representatives or to such person or persons as are legally entitled thereto out of the fund] in the event of the death of any such employe the amount of said contributions shall be paid to such person or persons as he or she shall have designated in writing as filed with the board as his or her beneficiary or to his or her estate.

If any employe receiving a retirement allowance shall die before he or she shall have received the total retirement allowance payments equal to the total amount of contributions as made by such employe to the retirement fund the difference between the total of the retirement allowance payments and the total of the amount of contributions paid into the retirement fund by such employe shall be paid to such person or persons as he or she shall have designated in writing as filed with the

board as his or her beneficiary or to his or her estate.

Section 6 The county commissioners shall appropriate any additional moneys necessary to carry out the provisions of this act in the manner provided by section three hundred seventeen of the act to which this is an amendment.

Section 7 The provisions of this act shall become effective on the first day of the month next following its final enactment.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. H.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 964, as follows:

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" as last amended by the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1213) are hereby further amended to read as follows:

Section 34 Annual appropriations Companies troops batteries detachments or similar organizations of the Pennsylvania National Guard except those of the Air Corps found upon examination of the reports made by an inspecting officer duly detailed for that purpose to be up to the standard requirements in strength discipline and efficiency shall receive in annual allowance the following money per annum which shall be used and expended solely for military purposes and for the use and

benefit of the organization. For all troops at the rate of ten dollars (\$10) per man per year. Provided That no company troop battery detachment or similar organization shall receive more than a maximum sum of one thousand dollars (\$1,000) per year regardless of the actual strength of the organization and Provided That no company troop battery detachment or similar organization shall receive less than a minimum sum of [three] two hundred dollars per year. Such allowances shall be computed by the Adjutant General from the [allotted] actual strength of the unit as of June first of each year. Newly organized units shall receive a pro rata share of the above named allowance for the portion of the fiscal year based on the actual strength of the organization at the time of its entrance into the service. The said allowances shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the unit and regimental or similar commanders but it shall be the duty of the Adjutant General before paying any of the said allowances to procure by purchase or otherwise and issue for each enlisted man not already provided therewith such articles of uniform supplies and equipment as are required for field service not furnished and paid for out of Federal funds and charge the cost of the same to the said annual allowance and the balance if any to be paid and disbursed as hereinafter provided. Provided however That any regiment battalion squadron or company may at its own expense provided itself with other uniforms of such style and pattern as a majority of its officers may select and the Governor as Commander-in-Chief approve which uniform shall be the property of the organization or the individual members thereof. No portion of any allowance made by the Commonwealth to any organization shall be expended in procuring such special uniforms or in repairing or caring for the same. No part of the annual allowances paid under the provisions of this act to the several organizations of the Pennsylvania National Guard shall be used in the purchase erection or construction of any armory unless the title thereto be vested in the Commonwealth. The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final.

Section 38 Necessary Expenses of Headquarters The necessary military expenses of division brigade regimental and separate battallion or similar headquarters including clerk hire and other actual outlays shall be paid in the usual manner on the usual lawful vouchers to that effect certified or approved by the commanding officer or the officer charged with the payment of the same such annual expenses except as hereinafter provided in no event to exceed [nine thousand dollars (\$9,000)] for a division headquarters seven thousand dollars (\$7,000) for an observation squadron one thousand dollars (\$1,000) for each brigade headquarters two thousand dollars (\$2,000) for each regimental headquarters and one thousand dollars (\$1,000) for each headquarters of special troops. These allowances shall be augmented in the amount of ten thousand dollars per year which sum shall be apportioned by the Adjutant General to the various headquarters in proportion to the distance traveled between the respective headquarters and their subordinate units or between the respective regimental brigade and division headquarters for official attendance at military conferences]

Five thousand dollars (\$5,000) for a State Staff

Ten thousand dollars (\$10,000) for a Division Headquarters

Five thousand dollars (\$5,000) for an Anti Aircraft Artillery Brigade

Five thousand dollars (\$5,000) for an Air Wing National Guard

Two thousand dollars (\$2,000) for a Regimental Headquarters

One thousand dollars (\$1,000) for a Headquarters 166th Field Artillery Battalion

One thousand dollars (\$1,000) for a Headquarters Field Artillery Brigade

One thousand dollars (\$1,000) for a Headquarters of each Separate Battalion

One thousand dollars (\$1,000) for Headquarters Corps Field Artillery

One thousand dollars (\$1,000) for Headquarters Cavalry Reconnaissance Squadron

Five hundred dollars (\$500) for each Headquarters AA Searchlight Battalion

Two hundred fifty dollars (\$250) for each Headquarters Antiaircraft Artillery Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control and Warning Group

Two hundred fifty dollars (\$250) for Headquarters Aircraft Control Squadron

Two hundred fifty dollars (\$250) for Headquarters Aircraft Communication Squadron

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Group

Two hundred fifty dollars (\$250) for Headquarters Light Bombardment Squadron

Two hundred fifty dollars (\$250) for Headquarters Engineer Aviation Battalion

Two hundred fifty dollars (\$250) for Headquarters Fighter Group

The Adjutant General shall publish to all organizations a list of authorized expenditures and his decision as to whether any item shall be properly chargeable against these funds shall be final.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz.

YEAS—46.

Barr,	Geltz	Mallery,	Taylor,
Becker,	Haluska	Margle,	Tyler,
Berger,	Heyburn	Rahauser,	Wade,
Bless,	Holland	Rosenfeld,	Wagner,
Carr,	Homsher	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1008, as follows:

An Act to add article XXX-A to the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" empowering boards of township commissioners to establish land subdivision regulations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first

class amending revising consolidating and changing the law relating thereto" is hereby amended by adding after article thirty a new article to read as follows

Article XXX-A

Land Subdivisions

Section 3061 Grant of Power For the purpose of assuring sites suitable for building purposes and human habitation and to provide for the harmonious development of townships for the coordination of existing streets with proposed streets parks or other features of the township's official plan of streets and alleys for adequate open spaces for traffic recreation light and air and for proper distribution of population thereby creating favorable to the health safety morals and general welfare of the citizens the boards of townships commissioners are hereby empowered to adopt by ordinance or resolution land subdivision regulations Such regulations may include definitions design standards plan requirements plan processing procedures improvement construction requirements and conditions of acceptance of public improvements by the township

Section 3062 Public Hearing No such regulations shall first be adopted until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard At least fifteen days' notice of the time and place of such hearing shall be published in an official paper if one has been designated by the Board of Township Commissioners or if none has been so designated then in a paper of general circulation in the township

Section 3063 Subdivision Control Where subdivision regulations have been adopted under the authority of this Article no subdivision of any lot tract or parcel of land shall be effected no street alley sanitary sewer storm sewer water main or other facilities in connection therewith shall be laid out constructed opened or dedicated for public use or travel or for the common use of occupants of buildings abutting thereon except in strict accordance with the provisions of such regulations

Section 3064 Definition of Subdivision Subdivision may be defined as the division of a single lot tract or parcel of land into two or more lots tracts or parcels of land including changes in street lines or lot lines for the purpose whether immediate or future of transfer of ownership or of building development Provided however That divisions of land for agricultural purposes in parcels of more than ten acres not involving any new street or easement of access shall be exempted

Section 3065 Subdivisions Wherein Lots Abut Existing Improved Streets of Sufficient Width Such regulations may provide that plans of subdivisions wherein lots abut existing improved streets of sufficient width shall be subject to approval or rejection by the township engineer or a committee appointed by the board of township commissioners as specified in the ordinance or resolution establishing the regulations In the event such a plan is disapproved the reasons therefor shall be set forth in writing and given to the applicant Any person aggrieved by the decision of the township engineer or the committee may appeal to the board of township commissioners and such appeal shall be considered by the board at its next regular meeting The decision of the board shall be final

Section 3066 Subdivisions Wherein Lots Abut Existing Streets of Insufficient Width or Proposed Streets.

(a) Plans may be Referred to Planning Commission for Recommendations Such regulations may provide that plans of subdivisions wherein lots abut existing streets of insufficient width or streets proposed to be laid out through unimproved land may if the board of township commissioners deems it advisable be referred to the planning commission of the township if any for its recommendations as to location and width of streets and similar features Such plans shall be subject to approval or rejection by the board of township commissioners In the event such a plan is disapproved the reasons therefor

shall be set forth in writing and given to the applicant Any party aggrieved by the decision of the board of township commissioners may appeal to the court of quarter sessions of the county as hereinafter provided

(b) General Requirements Prerequisite to Approval of Plan The board of township commissioners shall not approve any subdivision plan unless all streets shown thereon shall be of sufficient width and proper grade and shall be so located as to accommodate the probable volume of traffic thereon afford adequate light and air facilitate fire protection provide access of fire fighting equipment to buildings and provide a coordinated system of streets conforming to the township's official plan of streets and alleys and unless the land whereon buildings are to be constructed shall be of such character that it can be used for building purposes without danger to health or peril from fire flood or other hazard

(c) Improvements or Guarantee Thereof Prerequisite to Approval of Plan Before approving any subdivision plan for recording the board of township commissioners shall either require that the necessary grading paving and other street improvements including where specified by the board curbs sidewalks street lights fire hydrants water mains sanitary sewers and storm sewers shall have been installed in strict accordance with the standards and specifications of the township or that the township be assured by means of a proper completion guarantee in the form of a bond or the deposit of funds or securities in escrow sufficient to cover the cost of the required improvements as estimated by the township engineer that the said improvements will subsequently be installed by the owner

(d) Public Hearing Before acting on any subdivision plan the board of township commissioners may arrange for a public hearing thereon after giving such notice as the board may deem desirable in each case

(e) Modifications The board of township commissioners may alter any subdivision plan and specify changes or modifications therein with it deems necessary and may make its approval subject to such alterations changes or modifications

(f) Appeals Where Commissioners Refuse Approval In any case where the board of township commissioners disapproves a subdivision plan any person aggrieved thereby may within thirty days thereafter appeal therefrom by petition to the court of quarter sessions of the county which could shall hear the matter de novo and after hearing enter a decree affirming reversing or modifying the action of the board as may appear just in the premises The court shall designate the manner in which notices of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

(g) Recording The action of the board of township commissioners or of the court on appeal in approving any subdivision plan and an approved duplicate copy of such plan shall within thirty days of the date of approval be recorded by the owner in the office of the recorder of deeds of the county

(h) Recorded Streets Become Part of Official Plan After a subdivision plan has been duly recorded the streets parks and other public improvements shown thereon shall be considered to be a part of the official plan of the township

(i) Offer of Dedication May Be Noted on Record Plan Streets parks and other public improvements shown on a subdivision plan to be recorded may be offered for dedication to the township by formal notation thereof on the plan or the owner may note on the plan that such improvements have not been offered for dedication to the township

(j) Streets Parks and Other Improvements Private Until Dedicated or Condemned Every street park or other improvement shown on a subdivision plan that is recorded as provided herein shall be deemed to be a private street park or improvement until such time as the same has been offered for dedication to the township and accepted by ordinance or resolution or until it has been con-

demned for use as a public street park or other improvement

Section 3067 Sale of Lots Issuance of Building Permit or Erection of Building Where subdivision regulations have been adopted under the authority of this Article no lot in a subdivision may be sold no permit to erect alter or repair any building upon land in a subdivision may be issued and no building may be erected in a subdivision unless and until a subdivision plan has been approved and where required recorded and until the improvements required by the board of township commissioners in connection therewith have either been constructed or guaranteed as hereinabove provided Where owing to special conditions a literal enforcement of this provision would result in unnecessary hardship the board of township commissioners may make such reasonable exception thereto as will not be contrary to the public interest and may permit the sale of a lot issuance of a permit of erection of a building subject to conditions necessary to assure adequate streets and other public improvements

Section 3068 Penalty Any person copartnership or corporation who or which shall subdivide any lot tract or parcel of land lay out construct open or dedicate any street or alley sanitary sewer storm sewer or water main for public use or travel or for the common use of occupants of buildings abutting thereon sell any lot or erect any building in a subdivision without having first complied with the provisions hereof and the subdivision regulations adopted hereunder shall be guilty of a misdemeanor and upon conviction thereof such person or the members of such copartnership or the officers of such corporation responsible for such violation shall be sentenced to suffer imprisonment not exceeding two years or pay a fine not exceeding one thousand dollars or both in the discretion of the court

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahauser,	Wade,
Blass,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1066, on third reading, entitled:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts

cities of the third class boroughs town townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1109, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 851) is hereby further amended to read as follows

Section 203 Classification Tractors for the purposes of this act shall be divided into [two] three classes

(a) First class Tractors used exclusively for agricultural purposes road grading well drilling and production and transportation of supplementary machinery and appliances and, also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used exclusively for agricultural purposes road grading well drilling and production and

transportation of supplementary machinery and appliances and determined by the secretary to be of the tractor type

(b) Second class Tractors used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and also any motor vehicle as defined in the Vehicle Code upon which machinery has been permanently mounted and used for industrial purposes and for all hauling on any highway except such hauling as is specified in subsection (a) of this section and determined by the secretary to be of the tractor type

(c) Third class Odd type vehicle having a weight in excess of thirty thousand (30,000) pounds determined by the secretary to be of the tractor type

Section 2 Subsection (b) of section four hundred two of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 402 Persons Exempt from License

* * * *

(b) Every person operating a tractor not required to have registration under this act shall be exempt from operator's license under this act unless the operating privilege has been suspended or revoked under the provisions of the Vehicle Code

Section 3 Section five hundred one of said act is hereby amended to read as follows

Section 501 Tractors The fee for the annual registration of a tractor of the first class shall be five (\$5) dollars [and] for the annual registration of a tractor of the second class shall be fifty (\$50) dollars and for the annual registration of a tractor of the third class shall be one hundred (\$100) dollars

Section 4 Subsection (a) of section six hundred eight of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 815) is hereby further amended to read as follows

Section 608 Weight of Tractor Trailer and Load

(a) Tractors shall not be operated or moved upon any highway with gross weight in excess of [twenty-eight thousand (28,000)] thirty thousand (30,000) pounds if of the two axle type and forty thousand (40,000) pounds if of the three axle type

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz	Mallery,	Taylor,
Becker,	Haluska	Margie,	Tyler,
Berger,	Heyburn	Rahausen,	Wade,
Blase,	Holland	Rosenfeld,	Wagner,
Carr,	Homsher	Ruth,	Walker,
Crider,	Jaspan	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1232, as follows:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highways routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Highways with the approval of the Governor is hereby authorized to take over as a State Highway route any public road which forms a connection between a State Highway route and a free interstate bridge which is being maintained by the Commonwealth of Pennsylvania and an adjoining state

Section 2 The construction reconstruction and maintenance of any public road taken over as a State Highway route under the provisions of this act shall be at the expense of the Commonwealth of Pennsylvania under the provisions of present or future laws governing State Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,	Geltz,	Mallery,	Taylor,
Becker,	Haluska,	Margie,	Tyler,
Berger,	Heyburn,	Rahausen,	Wade,
Blase,	Holland,	Rosenfeld,	Wagner,
Carr,	Homsher,	Ruth,	Walker,
Crider,	Jaspan,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wilson,
Dent,	Lane,	Stevenson,	Wolfe,
DiSilvestro,	Leader,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Farrell,	Lord,	Tarr,	Woodring,
Frazier,	Mahany,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 56, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the appointment of assistant county superintendents,

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 57, entitled:

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 100, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 166, on second reading, entitled:

An Act to amend section one thousand two hundred nine point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of the Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," authorizing additional temporary salary increases, and the appropriation, used and temporary loans therefor; and validating such increases heretofore made.

be placed on the Second Reading Postponed Calendar.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

Mr. WALKER.. Mr. President, I move that Senate Bill No. 193, on second reading, entitled:

An Act relating to judgments; providing for the lien thereof, and the duration and revival of such liens; prescribing the circumstances under which executions to enforce payment of judgments may be levied on real property; and imposing duties on prothonotaries, sheriffs, and other court and county officers.

be placed on the Second Reading Postponed Calendar.

Mr. WAGNER. Mr. President, I second the motion. The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market

go over in its order.

The PRESIDENT.. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 285, entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 405) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act to reenact and further amend section one of the Act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine operators to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 326, on second reading, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

be placed on the Second Reading Postponed Calendar..

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 344, entitled:

An Act to amend section four of the act, approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of

examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," changing compensation of board members.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 359, on second reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drugs" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by further defining the term "pharmacy"; and further regulating the registration of certain persons.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania

Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further defining certain terms: declaring certain additional labor practices of employers and employes to be unfair; authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot, and further defining the scope of collective bargaining.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend clause (c) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees, prescribing and limiting the

powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by increasing the total maximum length of motor buses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 518, entitled:

An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 533, entitled:

An Act to further amend section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" authorizing conveyances of real estate by married woman to her husband or to her husband and herself jointly without joinder of her husband.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 534, entitled:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entireties and validating certain transactions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 546, on second reading, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties, imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts making an appropriation and providing for refunds," by further providing for the erection and maintenance of traffic signals the record of, magistrates, and the disposition of certain fines and penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 586, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May one thousand nine hundred nine (P. L. 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or having in possession with intent to sell of adulterated misbranded or deleterious foods pre-

scribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof" empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 615, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the home—stead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 630, entitled:

An Act to amend section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled "An act authorizing a married woman to make conveyance of real estate to her husband and validating all such conveyances heretofore made" authorizing conveyances of real estate of a married woman to her husband and herself jointly as if she were a feme sole.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 645, entitled:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 652, on second reading, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 670, on second reading, entitled:

An Act to further amend section one thousand four hundred two of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 676, on second reading, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 682, on second reading, entitled:

An Act to further amend rule seventy-seven of section six to article eleven of the act approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 683, on second reading, entitled:

An Act to further amend section three of Article XXVIII of the act, approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An

act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 684, entitled:

An Act to further amend section one thousand two hundred fourteen of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the employment of supervising principals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 689, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 690, on second reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 691, on second reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 707, on second reading, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 725, entitled:

An Act to reenact, amend, and revise section forty-one, clause (a), paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen, (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries, investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registra-

tion of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further modifying the terms, qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 734, on second reading, entitled:

An Act to amend section nine of the act, approved the first day of June, one thousand nine hundred forty-five, (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries, fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignments, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," changing fees of prothonotaries.

be recommitted to the Committee on Local Government.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 768, on second reading, entitled:

An Act to add section one thousand six hundred ten point one to the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the teaching of safe driving of automobiles.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish

and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriation by first class school districts in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1178, on second reading, entitled:

An Act to further amend section six hundred seventeen point one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia, including adequate equipment of the athletic field with fence enclosures and lighting system.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION

RECALLING FROM THE GOVERNOR SENATE BILL No. 477, PRINTER'S No. 143

Mr. CARR. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CARR, offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 19, 1947.

Resolved, (if the House of Representatives concurs), that Senate Bill No. 477, Printer's No. 143, entitled, "An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled 'An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose;

changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing estate charges on counties,' further providing for the mental examination of juvenile delinquents and their release or retention", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 558

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to.

In the House of Representatives, May 19, 1947.

Resolved, (If the Senate concur) That House Bill No. 558, Printer's No. 253, entitled:

An Act to amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one, (P. L. 682), entitled "Insurance Company Law of 1921," by permitting certain additional insurance companies to come within the provisions thereof.

be recalled from the Governor for further consideration.

HOUSE BILL No. 305 CALLED UP

Mr. WAGNER. Mr. President, I call from page 27 of today's Calendar, House Bill No. 305.

RECONSIDERATION OF HOUSE BILL No. 305

Mr. WAGNER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. WAGNER. Mr. President, I voted with the majority.

Mr. WOLFE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WOLFE. Mr. President, I voted with the majority.

The motion was agreed to

BILL OVER IN ORDER

Mr. WAGNER. Mr. President, I ask unanimous consent that House Bill No. 305, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

LIEUTENANT-GOVERNOR TO PRESIDE AT PARDON BOARD SESSIONS

The PRESIDENT. The Chair announces that the next two days he will be presiding over the Board of Pardons and will not be in the Senate Chamber Tuesday and Wednesday.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, May 20, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 5:13 o'clock, p. m., Eastern Standard Time until Tuesday, May 20, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 19, 1947

The House met at 3:30 p. m. Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrave offered the following prayer:

Our heavenly Father, how much we need Thy presence, the gift of Thy grace, and the blessing of Thy wisdom. Teach us how to live by blessing the truth to us. O be gracious and impart this mercy to every member of this chamber. Thou hast set before us a wonderful ideal; inspire our zeal to approach it. May our lives speak well in wise precept and by exalted example. In all our obligations to our God and to our state and country may we eagerly seek the best and wisest in all things and, above all, never break faith with ourselves. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, May 15, 1947.

The Clerk proceeded to read the Journal of Thursday, May 15, 1947, when, on motion of Mr. MIKULA unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 306.

An Act to consolidate, amend and revise the penal laws of the Commonwealth.

Referred to the Committee on Judiciary.

SENATE BILL No. 505.

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances

to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 528.

An Act to add section four hundred fifty-one to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for training of volunteer fire companies by counties of the second class.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 551.

An Act guaranteeing any person accused of the commission of crime the protection of the law; providing the procedure therefor; and prescribing penalties.

Referred to the Committee on Judiciary.

SENATE BILL No. 570.

An Act to further amend sections one four five and six of the act approved the seventh day of May one thousand nine hundred twenty-three (P. L. 151) entitled "An act defining and regulating the business of dry cleaning and dyeing providing for the maintenance construction and inspection of dry cleaning and dyeing buildings and establishments providing for enforcing the act and penalties for violation thereof" by repealing exemptions from certain provisions of said act and providing for regulation of Class I and Class II dry cleaning and dyeing plants

Referred to the Committee on State Government.

SENATE BILL No. 639.

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

Referred to the Committee on Public Utilities.

PETITIONS AND REMONSTRANCES

The SPEAKER laid before the House the following communications which were read by the Clerk:

SCHOOLS

Communication from Rotary Club of Slatington, Pennsylvania, favoring passage of House Bill No. 417, increasing teachers' salaries.

Referred to the Committee on Education.

LAW AND ORDER

Communications from Presbytery of Philadelphia, opposing passage of legislation legalizing greyhound and horse racing; opposing passage of legislation which would tend to strengthen the traffic in liquor; and favoring fair employment practice legislation.

Referred to the Committee on Law and Order.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL No. 558 FROM GOVERNOR

Mr. UPSHUR offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 19, 1947.

Resolved (if the Senate concur), that House Bill 558, Printer's No. 253, entitled "An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchange and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by permitting certain additional insurance companies to come within the provisions thereof", be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS

The SPEAKER. If there is no objection the Chair will now declare a recess until 4:20 Eastern Standard Time for the purpose of holding a Republican caucus immediately in the new House Caucus Room. The Chair hears none and a recess is declared until 4:20 p. m.

AFTER RECESS

The time of recess having expired the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN
BY THE SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the

House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 231.

An Act to amend the title and Section 1 of the act approved the sixteenth day of May, one thousand nine hundred and forty-five, (P. L. 594, Number 249), entitled "An act authorizing and empowering any corporation for profit, heretofore or hereafter organized under any general or special law of this Commonwealth, by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized, approved or ratified by the by-laws of such corporation or by resolution of its shareholders; and ratifying certain contributions," by removing certain limitations upon the power of corporations to make contributions for charitable purposes.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 557.

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil or any petroleum products by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders

SPECIAL ORDER ON THIRD READING AND
FINAL PASSAGE

The SPEAKER. The Chair lays before the House the special order of business fixed for 4:30 o'clock p. m. Eastern Standard Time, it being House Bill No. 1170, Printer's No. 629.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1170, as follows:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures and repealing existing laws

Table of Contents

Article I Preliminary Provisions

- Section 101 Short Title
- Section 102 Definitions
- Section 103 Saving Clause
- Section 104 Interpretation of Act

Article II Pennsylvania Liquor Control Board

- Section 201 Appointment of Members Terms Salaries
- Section 202 Qualifications of Members
- Section 203 Chairman of Board
- Section 204 Secretary of Board
- Section 205 Bonds Required of Members and Secretary
- Section 206 Board Subject to Administrative Code

- Section 207 General Powers of Board
- Section 208 Specific Subjects on Which Board May Adopt Regulations
- Section 209 Officers and Investigators of Board to be Peace Officers Powers
- Section 210 Restrictions on Members of Board and Employes of Commonwealth

Article III Pennsylvania Liquor Stores

- Section 301 Board to Establish State Liquor Stores
- Section 302 Selection of Personnel
- Section 303 Management of Pennsylvania Liquor Stores
- Section 304 When Sales May be Made at Pennsylvania Liquor Stores
- Section 305 Sales by Pennsylvania Liquor Stores
- Section 306 Audits by Auditor General

Article IV Licenses and Regulations Liquor Alcohol and Malt and Brewed Beverages

(A) Liquor and Alcohol (Not Including Manufacturers)

- Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs
- Section 402 License Districts License Year Hearings
- Section 403 Applications for Hotel Restaurant and Club Liquor Licenses
- Section 404 Issuance of Hotel Restaurant and Club Liquor Licenses
- Section 405 License Fees
- Section 406 Sales by Liquor Licenses Restrictions
- Section 407 Sales of Malt or Brewed Beverages by Liquor Licensees
- Section 408 Public Service Liquor Licenses
- Section 409 Sacramental Wine Licenses Fees Privileges Restrictions
- Section 410 Liquor Importers' Licenses Fees Privileges Restrictions
- Section 411 Interlocking Business Prohibited

(B) Malt and Brewed Beverages (Including Manufacturers)

- Section 431 Malt and Brewed Beverages Manufacturers Distributors and Importing Distributors' Licenses
- Section 432 Malt and Brewed Beverages Retail Licenses
- Section 433 Public Service Licenses
- Section 434 License Year
- Section 435 Filing of Applications for Distributors' Importing Distributors' and Retail Dispensers' Licenses Filing Fee
- Section 436 Application for Distributors' Importing Distributors' and Retail Dispensers' Licenses
- Section 437 Prohibitions Against the Grant of Licenses
- Section 438 Number and Kinds of Licenses Allowed Same Licensee
- Section 439 Malt or Brewed Beverage License Fees
- Section 440 Sales by Manufacturers of Malt or Brewed Beverages Minimum Quantities
- Section 441 Distributors and Importing Distributors Restrictions on Sales Storage etc
- Section 442 Retail Dispensers Restrictions on Purchases and Sales
- Section 443 Interlocking Business Prohibited
- Section 444 Malt or Brewed Beverages Manufactured Outside This Commonwealth

(C) General Provisions Applying to Both Liquor and Malt and Brewed Beverage Licenses

- Section 461 Limiting Number of Retail Licenses to be Issued in each Municipality
- Section 462 Licensed Places May be Closed During Period of Emergency
- Section 463 Hearings Upon Refusal of Licenses Renewals or Transfers Appeals
- Section 464 All Licensees to Furnish Bond
- Section 465 Disposition of Cash and Securities Upon Forfeiture of Bond

- Section 466 Display of License
- Section 467 Licenses Not Assignable Transfers
- Section 468 Applications for Transfers Fees
- Section 469 Renewal of Licenses Temporary Provisions for Licensees in Armed Service
- Section 470 Revocation and Suspension of Licenses
- Section 471 Local Option
- Section 472 Places of Amusement and Persons Interested Therein not to be Licensed

(D) Unlawful Acts Penalties

- Section 491 Unlawful Acts Relative to Liquor Alcohol and Liquor Licensees
- Section 492 Unlawful Acts Relative to Malt or Brewed Beverages and Licensees
- Section 493 Unlawful Acts Relative to Liquor Malt and Brewed Beverages and Licensees
- Section 494 Penalties

Article V Distilleries Wineries Bonded Ware-Houses Bailees for Hire and Transporters for Hire

- Section 501 License Required
- Section 502 Exemptions
- Section 503 Qualifications for License
- Section 504 Applications Filing Fees
- Section 505 Licenses Issued
- Section 506 Bonds Required
- Section 507 Hearings Upon Refusal of Licenses
- Section 508 License Fees
- Section 509 License Must Be Posted Business Hours
- Section 510 Containers to be Labeled
- Section 511 License to Specify Each Place Authorized for Use
- Section 512 Records To Be Kept
- Section 513 Records and Premises Subject to Inspection
- Section 514 Suspension and Revocation of Licenses
- Section 515 Appeals
- Section 516 Compromise Penalty in Lieu of Suspension
- Section 517 Expiration of Licenses Renewals
- Section 518 Unlawful Acts
- Section 519 Penalties

Article VI Property Illegally Possessed or Used Forfeitures Nuisances

(A) Forfeitures

- Section 601 Forfeiture of Property Illegally Possessed or Used
- Section 602 Forfeiture Proceedings
- Section 603 Disposition of Forfeited Property
- Section 604 Motor Vehicle Licenses to be Revoked
- Section 605 Application of Subdivision

(B) Nuisances

- Section 611 Nuisances Actions to Enjoin

Article VII Dealing in Distillery Bonded Warehouse Certificates

(A) Preliminary Provisions

- Section 701 Definitions and Interpretation

(B) Permits

- Section 702 Unlawful to Act as Distillery Broker or Buy or Sell Distillery Bonded Warehouse Certificates without Permit
- Section 703 Authority to Issue Permits to Distillery Certificate Brokers
- Section 704 Application for Permit Filing Fee
- Section 705 Issuance of Permits
- Section 706 Office or Place of Business to be Maintained
- Section 707 Permit Fee Permits Not Assignable or Transferable Display of Permit Term of Permit
- Section 708 Records to be Kept
- Section 709 Renewal of Permits
- Section 710 Permit Hearings Appeals From Refusal of Board to Issue or Renew Permits

- Section 711 Procedure of Appeal Record to be Certified
Cost of Preparing Record Appeal to
Supreme Court
- Section 712 Revocation and Suspension of Permit
(C) Permittees' Registered Agents
- Section 721 Unlawful to Act as Agent or to Employ
Agents without Registration
- Section 722 Registered Agents
- Section 723 Registration Fee
- Section 724 Registration and Issuance of Identification
Card
- Section 725 Hearings Upon Refusal of Board Appeals
- Section 726 Revocation and Suspension of Agents'
Registration
- Section 727 Identification Cards
(D) Exemptions
- Section 731 Bank and Trust Companies and Other Per-
sons Exempt
- Section 732 Distillers Rectifiers and Importers
- Section 733 Certificates Owned Since July 24 1939
(E) Administration and Enforcement
- Section 741 Duties of the Board
(F) Fines and Penalties
- Section 751 Penalties
- Article VIII Disposition of Moneys Collected Under
Provisions of Act
- Section 801 Moneys Paid Into Liquor License Fund
and Returned to Municipalities
- Section 802 Moneys Paid Into The State Stores Fund
for use of the Commonwealth
- Section 803 Alcohol Tax Moneys Paid Into General
Fund
- Article IX Repeals
- Section 901 Acts and Parts of Acts Repealed
- Section 902 General Repeal Clause
- The General Assembly of the Commonwealth of Penn-
sylvania hereby enacts as follows

Article I

Preliminary Provisions

Section 101 Short Title This act shall be known and
may be cited as the "Alcoholic Liquor Code"

Section 102 Definitions The following words or phrases
unless the context clearly indicates otherwise shall have
the meanings ascribed to them in this section

"Alcohol" shall mean ethyl alcohol of any degree of
proof originally produced by the distillation of any fer-
mented liquid whether rectified or diluted with or without
water whatever may be the origin thereof and shall in-
clude synthetic ethyl alcohol but shall not mean or in-
clude ethyl alcohol whether or not diluted that has been
denatured or otherwise rendered unfit for beverage pur-
poses

"Association" shall mean a partnership limited partner-
ship or any form of unincorporated enterprise owned by
two or more persons

"Board" shall mean the Pennsylvania Liquor Control
Board

"Bonded warehouse" shall mean and include all places
and warehouses legally established under the provisions
of the acts of Congress and the administrative provisions
of the internal revenue laws of the Government of the
United States of America for the storage concentration
distribution and holding in bond (a) of whiskey and any
other potable distilled spirits except ethyl alcohol when
used in Article VII entitled "Distillery Bonded Warehouse
Certificates" and (b) of alcohol or liquor when otherwise
used

"Club" shall mean any reputable group of individuals
associated together not for profit for legitimate purposes
of mutual benefit entertainment fellowship or lawful con-

venience having some primary interest and activity to
which the sale of liquor or malt and brewed beverages
shall be only secondary which if incorporated has been
in continuous existence and operation for at least one
year and if first licensed after June 16 1937 shall have
been incorporated in this Commonwealth and if unincor-
porated for at least ten years immediately preceding the
date of its application for a license under this act and
which regularly occupies as owner or lessee a clubhouse
or quarters for the use of its members Continuous exist-
ence must be proven by satisfactory evidence The board
shall refuse to issue a license if it appears that the charter
is not in possession of the original incorporators or their
direct or legitimate successors The club shall hold regular
meetings conduct its business through officers regularly
elected admit members by written application investiga-
tion and ballot and charge and collect dues from elected
members and maintain such records as the board shall
from time to time prescribe but any such club may waive
or reduce in amount or pay from its club funds the dues
of any person who was a member at the time he was in-
ducted into the military service of the United States or
was enrolled in the armed forces of the United States
pursuant to any selective service act during the time of
the members' actual service or enrollment.

"Containers" shall mean and include any receptacle
vessel or form of package tank vat cask barrel drum keg
can bottle or conduit used or capable of use for holding
storing transferring or shipment of alcohol liquor or malt
or brewed beverages

"Corporation" shall mean a corporation or joint-stock
association organized under the laws of this Common-
wealth the United States or any other state territory or
foreign country or dependency

"Denatured alcohol" shall mean and include all alcohol
or any compound thereof which by the admixture of such
denaturing material or materials is rendered unfit for use
as a beverage

"Denaturing plant" shall mean and include the premises
of a distillery used exclusively for the denaturation of
alcohol either specially or completely by the admixture
of such denaturing materials as shall render the alcohol
or any compound in which it is authorized to be used
unfit for use as a beverage

"Distillery" shall mean and include any premises or
plant wherein alcohol or liquor is manufactured made and
distilled from raw materials blended or rectified or any
place wherein alcohol or liquor is produced by any method
suitable for the production of alcohol The term shall not
include a "winery" where alcohol is derived from by-
products of wine production by distillation for the sole
purpose of adding to the fermented products to fortify the
same

"Distillery Bonded Warehouse Certificate" shall mean a
certificate receipt contract or other document given upon
the storage of whiskey or any other potable distilled spirits
except ethyl alcohol in a bonded warehouse and evidencing
the ownership of such whiskey or other potable distilled
spirits

"Distillery certificate broker" shall mean and include
every person who engages directly or through an agent
in selling purchasing exchanging offering for sale or
delivery or entering into agreements for the purchase sale
or exchange or soliciting subscriptions to or orders for
or undertaking to dispose of or dealing in any manner
in distillery bonded warehouse certificates

"Distributor" shall mean any person licensed by the
board to engage in the purchase only from Pennsylvania
manufacturers and from importing distributors and the
resale of malt or brewed beverages except to importing
distributors and distributors in the original sealed con-
tainers as prepared for the market by the manufacturer
at the place of manufacture but not for consumption on
the premises where sold and in quantities of not less than
a case of twenty-four containers each holding one pint
or less or a case of twelve containers each holding one
quart

"Eating place" shall mean a premise where food is regularly and customarily prepared and sold having a total area of not less than three hundred square feet available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations and meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen in which food is regularly prepared for the public

"Importing distributor" shall mean any person licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers of malt or brewed beverages and importing distributors under this act and the resale of malt or brewed beverages in the original sealed containers as prepared for the market by the manufacturer at the place of manufacture but not for consumption on the premises where sold and in quantities of not less than a case of twenty-four containers each holding one pint or less or a case of twelve containers each holding one quart

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous dermented or otherwise alcoholic including all drinks or drinkable liquids preparations or mixtures and reused recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol and malt or brewed beverages

"Malt or Brewed Beverages" means any beer lager beer ale porter or similar fermented malt beverage containing one-half of one per centum or more of alcohol by volume by whatever name such beverage may be called

"Manufacture" when the term is applied to malt or brewed beverages shall mean and include all means methods and processes used employed and made use of to produce make and manufacture for commercial purposes malt or brewed beverages from raw materials when applied otherwise it shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or liquor from raw materials and shall mean and include rectification and blending of alcohol and liquor the production recovery or reuse of alcohol in the making developing using in the process of manufacture denaturing redistilling or recovering of any alcohol or liquor in distilleries denaturing plants and wineries

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor alcohol or malt or brewed beverages in this Commonwealth or elsewhere

"Manufacturer of malt or brewed beverages" shall mean any person holding a license issued by the board to engage in the manufacture transportation and sale of malt or brewed beverages also any person engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States outside the Commonwealth of Pennsylvania

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Official Seal" shall mean and include any insignia approved by the board that is required to be affixed to a package as herein defined

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer of malt or brewed beverages at or shipped from the place of manufacture with the name and address of the manufacturer of the malt or brewed beverages contained or to be con-

tained therein permanently affixed to the bottle cask keg or other container or in the case of a bottle or can to the cap or cork used in sealing the same or to a label securely affixed to a bottle or can

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol as marketed by the manufacturer

"Person" shall mean a natural person association or corporation Whenever used in a clause prescribing or imposing a fine of imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof except as to incorporated clubs the term "person" shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

"Population" shall mean the population as determined by the last preceding decennial census of the United States

"Potable distilled spirits" shall mean and include any distillate from grains wine fruits vegetable or molasses except ethyl alcohol capable of being used for beverage purposes

"Regulation" shall mean any regulation prescribed by the board for carrying out the provisions of this act

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing food for the public the place to have an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time

"Retail dispenser" shall mean any person licensed to engage in the retail sale of malt or brewed beverages for consumption on the premises of such licensee with the privilege of selling malt or brewed beverages in quantities not in excess of twelve containers each holding one pint or less or six containers each holding one quart in a single sale to one person to be carried from the premises by the purchaser thereof

"Sale" or "Sell" shall include any transfer of liquor alcohol or malt or brewed beverages for a consideration

"Whiskey" shall mean and include any alcoholic distillate from a fermented mash of grain capable of being used for beverage purposes

"Winery" shall mean and include any premises and plants where any alcohol or liquor is produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced And shall include the manufacture by distillation of alcohol from the by-products of wine fermentation when the alcohol so derived is used solely to fortify the fermented products under such regulations as are or may be promulgated by the proper agency of the United States Government and such alcohol for that purpose only may be sold or exchanged between wineries holding permits in this Commonwealth without restriction

Section 103 Saving Clause The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof repealed or superseded The provisions of this act shall not affect any act done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All regulations and rules made and all licenses and permits issued pursuant to any act repealed by this act shall continue with the same force and effect as if such act had not been repealed

Section 104 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are several and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

(c) Except as otherwise expressly provided the purpose of this act is to prohibit the manufacture of and transactions in liquor alcohol and other alcoholic liquids and malt or brewed beverages which take place in this Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly. The provisions of this act dealing with the manufacture importation sale and disposition of liquor alcohol and other alcoholic liquids and malt or brewed beverage within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective. This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth.

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence.

(e) Section headings shall not be taken to govern or limit the scope of the section of this act. The singular shall include the plural and the masculine shall include the feminine and the neuter.

Article II

Pennsylvania Liquor Control Board

Section 201 Appointment of Members Terms Salaries An independent administrative board to be known as the "Pennsylvania Liquor Control Board" is hereby created. The board shall consist of three members to be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate. Of the original members one shall be appointed for a term of two years one for a term of four years and one for a term of six years from the date of his appointment and until his successor shall have been appointed and qualified. Thereafter all appointments shall be for terms of six years or until successors are appointed and qualified. Each member of the board shall receive an annual salary of ten thousand dollars (\$10,000).

Section 202 Qualifications of Members Each member of the board at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth of Pennsylvania shall have been a qualified elector in the Commonwealth for a period of at least one year next preceding his appointment and shall be not less than thirty years of age.

No member of the board during his period of service as such shall hold any other office under the laws of this Commonwealth or of the United States.

Section 203 Chairman of Board The board shall elect one of its members as chairman. The chairman shall when present preside at all meetings and in his absence a member designated by the chairman shall preside.

Two members of the board shall constitute a quorum and any action or order of the board shall require the approval of at least two members.

Section 204 Secretary of Board The board may appoint a secretary to hold office at its pleasure. The secretary if appointed shall have such powers and shall perform such duties not contrary to law as the board shall prescribe and shall receive such compensation as the board with the approval of the Governor shall determine. The secretary shall have power and authority to designate from time to time one of the clerks appointed by the board to perform the duties of the secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the secretary of the board.

Section 205 Bonds Required of Members and Secretary Before entering upon the duties of their respective offices or positions each member of the board and the secretary shall execute and file with the State Treasurer a bond in such penal sum as shall be fixed by the Executive Board of this Commonwealth upon recommendation of the Governor but the amount of any such bond shall not be less than ten thousand dollars (\$10,000). Bonds in such penal sums as shall be fixed by the Executive Board likewise shall be executed and filed with the State Treasurer by such employees of the Pennsylvania Liquor Control Board as the head of such board shall with the approval of the Executive Board prescribe. Such bonds shall be payable to the Commonwealth of Pennsylvania and shall be conditioned for the faithful performance of the members' secretary's or employees' duties imposed by law or by lawful authority and that the person bonded will not knowingly violate the provisions of this act. All bonds required to be given under this section shall before being accepted by the State Treasurer be approved by the Department of Justice and unless the Commonwealth shall establish its own indemnity fund all such bonds shall be given with security approved by the Department of Justice. If the Commonwealth shall establish its own indemnity fund the Executive Board may nevertheless require any bond given hereunder to be executed by a surety or sureties satisfactory to the Department of Justice. The cost of such bonds required to be executed by a surety or sureties shall be borne by the boards as part of its operating expense.

Section 206 Board Subject to Administrative Code Except as otherwise expressly provided by law the board shall be subject to all the provisions of The Administrative Code of one thousand nine hundred twenty-nine as amended which apply generally to independent administrative boards and commissions.

Section 207 General Powers of Board Under this act the board shall have the power and its duty shall be:

(a) To buy import or have in its possession for sale and sell liquor and alcohol in the manner set forth in this act.

Provided however That all purchases shall be made subject to the approval of the Auditor General or his designated deputy.

(b) To control the manufacture possession sale consumption importation use storage transportation and delivery of liquor alcohol and malt or brewed beverages in accordance with the provisions of this act and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania Liquor Stores. Provided That in fixing sale prices the board shall not give any preference or make any discrimination as to classes brands or otherwise except where special sales are deemed necessary to move unsaleable merchandise. The board shall require each Pennsylvania manufacturer and each nonresident manufacturer of liquors other than wine selling such liquors to the board which are not manufactured in this Commonwealth to make application for and be granted a permit by the board before such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer. Each such manufacturer shall pay for such permit a fee which in the case of a manufacturer of this Commonwealth shall be equal to that required to be paid if any by a manufacturer or wholesaler of the state territory or country of origin of the liquors for selling liquors manufactured in Pennsylvania and in the case of a nonresident manufacturer shall be equal to that required to be paid if any in such state territory or country by Pennsylvania manufacturers doing business in such state territory or country. In the event that any such manufacturer shall in the opinion of the board sell or attempt to sell liquors to the board through another person for the purpose of evading this provision relating to permits the board shall require such person before purchasing liquors from him or it to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer. All permit fees so collected shall be paid into the State Stores Fund. The

board shall not purchase any alcohol or liquor fermented distilled rectified compounded or bottled in any state territory or country the laws of which result in prohibiting the importation therein of alcohol or liquor fermented distilled rectified compounded or bottled in Pennsylvania

(c) To determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities

(d) To grant issue suspend and revoke all licenses and permits authorized to be issued under this act and the regulations of the board

(e) Through the Department of Property and Supplies as agent to lease and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors examiners clerks and other employees as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 and the Civil Service Act

(g) To determine the nature form and capacity of all packages and original containers to be used for containing liquor alcohol or male or brewed beverages

(h) Without an any wal limiting or being limited by the foregoing to do all such things and perform all such acts as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

(i) From time to time to make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable or as may be provided by law Such regulations adopted by the board shall have the same force as if they formed a part of this act

Section 208 Specific Subjects on Which Board May Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the preceding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor and alcohol are kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employees of the board

(c) The purchase as provided in this act of liquor and alcohol and its supply to Pennsylvania Liquor Stores

(d) The classes varieies and brands of liquor and alcohol to be kept and sold in Pennsylvania Liquor Stores

(e) The issuing and distribution of price lists for the various classes varieties or brands of liquor and alcohol kept for sale by the board under this act

(f) The sealing and labeling of liquor and alcohol sold under this act and of liquor and alcohol lawflyy acquired by any person prior to January first one thousand nine hundred thirty- four

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses and permits and the con-
cuct management sanitation and equipment of places
licensed or included in permits

(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores and the transmission of balances to the Treasury Department through the Department of Revenue

(j) The solicitation by resident or nonresident venders of liquor from Pennsylvania licensees and other persons of orders for liquor to be sold through the Pennsylvania Liquor Stores and in the case of nonresident vendors the collection therefrom of license fees for such privilege at the same rate as provided herein for importers' licenses

Section 209 Officers And Investigators Of Board To Be Peace Officers Powers Such employees of the board as are designaed "enforcement officers" or "investigators" are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth

to arrest on view except in private homes without warrant any person actually engaged in the unlawful sale importation manufacture or transportation or having unlawful possession of liquor alcohol or malt or brewed beverages contrary to the provisions of this act or any other law of this Commonwealth Such officers and investigators shall have power and authority upon reasonable and probable cause to search for and to seize without warrant or process except in private homes any liquor alcohol and malt or brewed beverages unlawfully possessed manufactured sold imported or transported and any stills equipment materials utensils vehicles boats vessels animals aircraft or any of them which are or have been used in the unlawful manufacture sale importaation of the same Such liquor alcohol malt or brewed beverages stills equipment materials utensils vehicles boats vessels animals or aircraft so seized shall be disposed of as hereinafer provided

Section 210 Restrictions on Members of Board And Employees of Commonwealth (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor alcohol or malt or brewed beverages whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person

(b) No member or employe of the board nor any employe of the Commonwealth shall solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor or alcohol for sale to the board for use in Pennsylvania Liquor Stores

Article III

Pennsylvania Liquor Stores

Section 301 Board To Establish State Liquor Stores The board shall establish operate and maintain at such places throughout the Commonwealth as it shall deem essential and advisable stores to be known as "Pennsylvania Liquor Stores" for the sale of liquor and alcohol in accordance with the provisions of and the regulations made under this act When the board shall have determined upon the location of a liquor store in any municipality it shall give notice of such laction by public advertisement in two newspapers of general circulation and no other advertisement of any kind or description shall be required any law to the contrary notwithstanding If within fiev days after the appearance of such advertisement fifteen or more taxpayers residing within a quarter of a mile of such location shall file a protest with the court of quarter sessions of the county averring that the location is objectionable because of its proximity to a church a school or to private residences the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence The court shall render its decision immediately upon the conclusion of the testimony and from its decision there shall be no appeal If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest the board shall abandon it and find another location The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out is powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board The board through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel Officers and employees of the board shall be appointed and employed subject to the provisions of the Civil Service Act

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in the Civil

Service Act who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Section 304 When Sales May be Made at Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held during such hours as the board in its discretion shall determine but shall not be open longer than fourteen hours in any one day nor later than eleven o'clock postmeridian The board may with the approval of the Governor temporarily close any store in any municipality

Section 305 Sales by Pennsylvania Liquor Stores (a) Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor and alcohol as the board shall prescribe If any person shall desire to purchase any class variety or brand of liquor or alcohol which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

(b) Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants clubs and railroad pullman and steamship companies licensed under this act and under the regulations of the board to pharmacists duly licensed and registered under the laws of the Commonwealth and to manufacturing pharmacists and to reputable hospitals approved by the board or chemists The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States the National Formulary or the American Homeopathic Pharmacopoeia All other sales by such stores shall be at retail No liquor shall be sold except for cash except that the board may by regulation authorize the acceptance of checks for liquor sold at wholesale The board shall have power to designate certain stores for wholesale or retail sales exclusively

(c) Whenever any checks issued in payment of liquor or alcohol purchased from State Liquor Stores by persons holding wholesale purchase permit cards issued by the board shall be returned to the board as dishonored the board shall charge a fee of five dollars per hundred dollars or fractional part thereof plus all protest fees to the maker of such check submitted to the board Failure to pay the face amount of the check in full and all charges thereon as herein required within ten days after demand has been made by the board upon the maker of the check shall be cause for revocation or suspension of any license issued by the board to the person who issued such check and the cancellation of the wholesale purchase permit card held by such person

(d) No liquor or alcohol shall be sold to any purchaser except in a package bearing the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

(e) The board may sell tax exempt alcohol to the Commonwealth of Pennsylvania and to persons to whom the board shall by regulation to be promulgated by it issue special permits for the purchase of such tax exempt alcohol Such permits may be issued to the United States or any governmental agency thereof to any university or college of learning any laboratory for use exclusively in scientific research any hospital sanatorium eleemosynary institu-

tion or dispensary to physicians dentists veterinarians and pharmacists duly licensed and registered under the laws of the Commonwealth of Pennsylvania to manufacturing chemists and pharmacists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes

(f) Every purchaser of liquor or alcohol from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor and alcohol the price paid therefor and such other information as the board may prescribe Copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

(g) The board is hereby authorized and empowered to adopt and enforce appropriate rules and regulations to insure the equitable wholesale and retail sale and distribution through the Pennsylvania Liquor Stores of available liquor and alcohol at any time when the demand therefor is greater than the supply

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department of the Auditor General shall neglect or refuse to make annual quarterly or special audits as hereinabove required it shall be unlawful for the board to expend any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

Article IV

Licenses And Regulations Liquor Alcohol And Malt And Brewed Beverages

(A) Liquor And Alcohol (Not Including Manufacturers)

Section 401 Authority To Issue Liquor Licenses To Hotels Restaurants And Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall authority to issue a retail liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt or brewed beverages to guests patrons or members for consumption on the hotel restaurant or club premises Such licensees other than clubs shall be permitted to sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than twelve containers each holding one pint or less or six containers each holding one quart in a single sale to one person Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any political subdivision of this Commonwealth shall be issued any hotel or restaurant

liquor license nor shall such a person have any interest directly or indirectly in any such license

(b) The board may issue to any club which caters to groups of non-members either privately or for functions a catering license and the board shall by its rules and regulations define what constitutes catering under this subsection

Section 402 License Districts License Year Hearings The board shall by regulation divide the State in to convenient license districts and shall hold hearings on applications for licenses and renewals thereof as it deems necessary at a convenient place or places in each of said districts at such times as it shall fix by regulation for the purpose of hearing testimony for and against applications for new licenses and renewals thereof The board may provide for the holding of such hearings by examiners learned in the law to be appointed by the Governor who shall not be subject to the "Civil Service Act" Such examiners shall make report to the board in each case with their recommendations The board shall by regulation fix the license year for each separate district so that the expiration dates shall be uniform in each of the several districts but staggered as to the State

Section 403 Applications For Hotel Restaurant And Club Liquor Licenses (a) Every applicant for a hotel liquor license restaurant liquor license or club license shall file a written application with the board in such form and containing such information as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and shall set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board

(b) If the applicant is a natural person his application must show that he is a citizen of the United States and has been a resident of this Commonwealth for at least two years immediately preceding his application

(c) If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania that all officers directors and stockholders are citizens of the United States and that the manager of the hotel restaurant or club is a citizen of the United States

(d) Each application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority

(e) If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agents and employees together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require.

(f) The board shall refuse to issue licenses to clubs when it appears that the operation of the licensed business would inure to the benefit of individual members officers agents or employees of the club rather than to the benefit of the entire membership of the club

(g) Every applicant for a new license or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such

provisions as the board may require by its regulations Proof of the posting of such notice shall be filed with the board

(h) If any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of a misdemeanor and upon conviction shall be subject to the penalties provided by this act

Section 404 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application that the applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted and that the applicant is a person of good repute that the permits applied for meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a hotel restaurant or club as defined in this act and that the issuance of such license is not prohibited by any of the provisions of this act the board shall in the case of a hotel or restaurant grant and issue to the applicant a liquor license and in the case of a club may in its discretion issue or refuse a license Provided however That in the case of any new license or the transfer of any license to a new location the board may in its discretion grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil And provided further That the board shall not issue new licenses in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor shall have been filed at least thirty days before the effective date of the license

Section 405 License Fees (a) License fees for hotel and restaurant liquor licenses shall be graduated according to the population of the municipality as determined by the last preceding decennial census of the United States in which the hotel or restaurant is located as follows

In municipalities having a population of less than fifty hundred inhabitants one hundred fifty dollars (\$150.00)

In municipalities except townships having a population of fifteen hundred and more but less than ten thousand inhabitants and in townships having a population of fifteen hundred and more but less than twelve thousand inhabitants two hundred dollars (\$200.00)

In municipalities except townships having a population of ten thousand and more but less than fifty thousand inhabitants and in townships having a population of twelve thousand and more but less than fifty thousand inhabitants three hundred dollars (\$300.00)

In those having a population of fifty thousand or more but less than one hundred thousand inhabitants four hundred dollars (\$400.00)

In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants five hundred dollars (\$500.00)

In those having a population of one hundred fifty thousand and more inhabitants six hundred dollars (\$600.00)

(b) Every applicant for a club liquor license shall pay to the board a license fee of fifty dollars (\$50.00) except clubs to which catering licenses are issued in which cases the license fees shall be the same as for hotels and restaurants located in the same municipality

(c) All license fees authorized under this section shall be collected by the board for the use of the municipalities in which such fees were collected

Section 406 Sales By Liquor Licensees Restrictions Every hotel restaurant or club liquor licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for

the serving of food to guests or patrons and in the case of hotels to guests and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employees other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club No club holding a catering license nor its officers servants agents or employees shall sell on Sunday to non-members any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor and malt or brewed beverages may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel

Hotel restaurant and public service liquor licensees their servants agents or employees may sell liquor and malt or brewed beverages only after seven o'clock antemeridian of any week day and until two o'clock antemeridian of the following week day and shall not sell on Sunday or after two o'clock antemeridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employees may sell liquor or malt brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

Section 407 Sales of Malt or Brewed Beverages By Liquor Licensees Every liquor license issued to a hotel restaurant club or a railroad pullman or steamship company under this subdivision (A) for the sale of liquor shall authorize the licensee to sell malt or brewed beverages at the same places but subject to the same restrictions and penalties as apply to sales of liquor except that licensees other than clubs may sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than twelve containers each holding one pint or less or six containers each holding one quart in a single sale to one person No licensee under this subdivision (A) shall at the same time be the holder of any other class of license except a retail dispensers license authorizing the sale of malt or brewed beverages only

Section 408 Public Service Liquor Licenses (a) Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor and malt or brewed beverages to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor or malt or brewed beverages to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited Such licenses shall be known as public service liquor licenses The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day Such licensees shall file monthly reports with the board showing the maximum number of cars operated in any one day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of twenty dollars for each extra car so operated

(b) For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law

(c) Every applicant for a public service liquor license shall before receiving such license file with the board a

surety bond as hereinafter prescribed pay to the board for each of the maximum number of dining club or buffet cars which the applicant estimates it will have in operation on any one day an annual fee of twenty dollars (\$20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars (\$100.00)

(d) Unless previously revoked every license issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued Licenses issued under the provisions of this section shall be renewed annually as herein provided upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section

(e) Sales of liquor and malt or brewed beverages by the aforesaid public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees

Section 409 Sacramental Wine Licenses Fees Privileges Restrictions (a) Subject to the provisions of this act in general and more particularly to the following provisions of this section the board shall issue sacramental wine licenses to qualified applicants

(b) Every applicant for a sacramental wine license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a bond as hereinafter prescribed Every such application shall contain a description of the premises for which the applicant desires a license and shall set forth such other material information as may be required by the board

(c) If the applicant is a natural person his application must show that he is a citizen of the United States and a resident of this Commonwealth If the applicant is an association or partnership each and every member of the association or partnership must be a citizen of the United States and a resident of this Commonwealth If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that all officers directors and stockholders are citizens of the United States

(d) Holders of such licenses may purchase from manufacturers or bring or import into this Commonwealth wine to be used for sacramental or religious purposes only and bottle and sell the same only to priests clergymen rabbis houses of worship bona fide religious organizations and individuals for such purposes. The sale and use of wine for sacramental or religious purposes shall be subject to and in accordance with the regulations of the board

(e) Any wine purchased under the authority of this section shall not be used for any other than sacramental or religious purposes Sacramental wine may not be sold by any person except the holder of a sacramental wine license All original containers from which sacramental wine is dispensed shall bear the official seal of the board

(f) Every sacramental wine licensee shall maintain on the licensed premises such records as the board may prescribe No deliveries of sacramental wine shall be made unless and until an order therefor is on file at the principal place of business in Pennsylvania All shipments into Pennsylvania of wine to be used for sacramental or religious purposes shall be consigned to the principal place of business maintained by the licensee

(g) Any such license may be suspended or revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to liquor and alcohol The procedure in such cases shall be the same as for the revocation and suspension of hotel restaurant and club licenses

Section 410 Liquor Importers' Licenses Fees Privileges Restrictions (a) Subject to the provisions of this act in

general and more particularly to the following provisions of this section the board shall issue liquor importers' licenses to qualified applicants

(b) Every applicant for an importer's license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a bond as hereinafter required. Every such application shall contain a description of the principal place of business for which the applicant desires a license and shall set forth such other material information as may be required by the board.

(c) The holder of an importer's license may have included in such license one warehouse wherein only his liquor may be kept and stored located in the same municipality in which his licensed premises is situate and not elsewhere unless such licensee secures from the board a license for each additional storage warehouse desired. The board is authorized and empowered to issue to a holder of an importer's license a license for an additional storage warehouse or warehouses located in this Commonwealth provided such licensed importer files with the board a separate application for each warehouse in such form and containing such information as the board may from time to time require accompanied by a filing fee of ten dollars a license fee of twenty-five dollars and a bond of an approved surety company in the amount of ten thousand dollars. Such bond shall contain the same provisions and conditions as are required in the other license bonds under this article.

(d) If the applicant is a natural person his application must show that he is a citizen of the United States and a resident of this Commonwealth. If the applicant is an association or partnership each and every member of the association or partnership must be a citizen of the United States and a resident of this Commonwealth. If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that all officers directors and stockholders are citizens of the United States.

(e) Importer's licenses shall permit the holders thereof to bring or import liquor from other states foreign countries or insular possessions of the United States and purchase liquor from manufacturers located within this Commonwealth to be sold outside of this Commonwealth or exclusively to Pennsylvania Liquor Stores within this Commonwealth.

All importations of liquor into Pennsylvania by the licensed importer shall be consigned to the Pennsylvania Liquor Control Board or the principal place of business or authorized place of storage maintained by the licensee.

(f) Every importer shall maintain on the licensed premises such records as the board may prescribe. Any such license may be suspended or revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to liquor and alcohol. The procedure in such cases shall be the same as for the revocation and suspension of hotel restaurant and club licenses.

Section 411 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license nor be the owner proprietor or lessor of any place covered by any hotel restaurant or club liquor license.

(b) No manufacturer importer or sacramental wine licensee and no officer or director of a manufacturer importer or sacramental wine licensee shall own any stock or have any financial interest in any hotel or restaurant licensed under this act.

(c) Excepting as herein provided no manufacturer or officer director stockholder agent or employe of a manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same for which a hotel restaurant or club

license is granted nor shall a manufacturer importer or sacramental wine licensee or officer director stockholder agent or employe of a manufacturer importer or sacramental wine licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any hotel restaurant or club licensee his servant agent or employe for equipping fitting out or maintaining and conducting either in whole or in part a hotel restaurant or club licensed for the selling of liquor for use and consumption upon the premises.

(d) Excepting as herein provided no hotel licensee restaurant licensee or club licensee and no officer director stockholder agent or employe of any such licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor or malt or brewed beverages nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employe of any such licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor or malt or brewed beverages.

(e) Except as herein provided no hotel restaurant or club licensee and no officer director or stockholder agent or employe of any such licensee shall in any wise be interested directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a distributor importing distributor retail dispenser or by an importer or sacramental wine licensee in the conduct of his business nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employe of any such licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to any distributor importing distributor retail dispenser importer or sacramental wine licensee for equipping fitting out or maintaining and conducting either in whole or in part an establishment used in the conduct of his business.

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant liquor licenses and as herein provided of club licenses issued under this article and no person shall by any device whatsoever directly or indirectly evade the provisions of the section. But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a manufacturer of any place occupied by a licensee under this article after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to July eighteenth one thousand nine hundred thirty-five. Provided however That this clause shall not prohibit any hotel restaurant or club liquor licensee from owning land which is leased to and the buildings thereon owned by a holder of a retail dispenser's license and nothing in this clause shall prevent the issuance of a retail dispenser's license to a lessee of such lands who owns the buildings thereon.

(B) Malt and Brewed Beverages (Including Manufacturers)

Section 431 Malt and Brewed Beverages Manufacturers Distributors and Importing Distributors' Licenses (a) The board shall issue to any person a resident of this Commonwealth of good repute who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a manufacturer's license to produce and manufacture malt or brewed beverages and to transport sell and deliver malt or brewed beverages at or from one or more places manufacture or storage only in original containers in quantities of not less than a case of twenty-four containers each holding one pint or less or a case of twelve containers each holding one quart anywhere with-

in the Commonwealth Licenses for places of storage shall be limited to those maintained by manufacturers on July eighteenth one thousand nine hundred thirty-five and the board shall issue no licenses for places of storage in addition to those maintained on July eighteenth one thousand nine hundred thirty-five. The application for such license shall be in such form and contain such information as the board shall require. All such licenses shall be granted for the calendar year. Every manufacturer shall keep at his or its principal place of business within the Commonwealth daily permanent records which shall show (1) the quantities of raw materials received and used in the manufacture of malt or brewed beverages and the quantities of malt or brewed beverages manufactured and stored (2) the sales of malt or brewed beverages (3) the quantities of malt or brewed beverages stored for hire or transported for hire by or for the licensee and (4) the names and addresses of the purchasers or other recipients thereof. Every place licensed as a manufacturer shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary for the detection of violations of this act or of the rules and regulations of the board or for the purpose of ascertaining the correctness of the records required to be kept by licensees. The books and records of such licensees shall at all times be open to inspection by members of the board or by persons duly authorized and designated by the board. Members of the board and its duly authorized agents shall have the right without hindrance to enter any place which is subject to inspection hereunder or any place where such records are kept for the purpose of making such inspections and making transcripts thereof.

(b) The board shall issue to any reputable person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages not for consumption on the premises where sold and in quantities of not less than a case of twenty-four containers each holding one pint or less or a case of twelve containers each holding one quart and such containers to be the original containers as prepared for the market by the manufacturer at the place of manufacture.

Such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities above specified anywhere within the Commonwealth of Pennsylvania which in the case of distributors have been purchased only from persons licensed under this act as manufacturers or importing distributors and in the case of importing distributors have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from manufacturers or importing distributors licensed under this article.

(c) The aforesaid licenses shall be issued only to reputable individuals, partnerships and associations who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania. Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corporation are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application.

Section 432 Malt and Brewed Beverages Retail Licenses (a) Subject to the restrictions hereinafter provided in this act and upon being satisfied of the truth of the statements in the application that the premises and the appli-

cant meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a reputable hotel eating place or club as defined in this act the board shall in the case of a hotel or eating place grant and issue and in the case of a club may in its discretion issue or refuse the applicant a retail dispenser's license.

(b) In the case of hotels and eating places licenses shall be issued only to reputable persons who are citizens of the United States and have for two years been residents of the Commonwealth of Pennsylvania at the date of their application or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whose officers and directors are citizens of the United States. In the case of incorporated clubs licenses shall be issued only to those incorporated under the laws of Pennsylvania.

(c) No retail dispenser's license shall be granted in any municipality in which the electors shall as hereinafter provided have voted against the licensing therein of places where malt or brewed beverages may be sold for consumption on the premises where sold.

(d) The board shall in its discretion grant or refuse any new license or the transfer of any license to a new location if such place proposed to be licensed is within three hundred feet of any church, hospital, charitable institution, school or public playground or if such new license or transfer is applied for a place where the principal business conducted is the sale of liquid fuels and oil. The board shall not issue new licenses except as herein otherwise provided in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application therefor is filed at least thirty days before the effective date of the license.

(e) Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with the board in a conspicuous place on the outside of the premises or in a window plainly visible from the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations. Proof of the posting of such notice shall be filed with the board.

Section 433 Public Service Licenses. The board may issue public service malt and brewed beverages licenses to a railroad, pullman or steamship company permitting malt or brewed beverages to be sold at retail in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains, steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited. Such licenses shall only be granted to reputable persons and for fit places. The board may issue a master license to railroad or pullman companies to cover the maximum numbers of cars which the company shall estimate that it will operate within the Commonwealth on any one day. Such licensees shall file monthly reports with the board showing the maximum number of cars operated at any time on any day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of ten dollars for each extra car so operated. The board shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee. Any person aggrieved by the decision of the board in refusing, suspending or revoking any such license may appeal to the court of quarter sessions of Dauphin County in the same manner as provided in this article for appeals from refusals of licenses.

Section 434 License Year. (a) Licenses issued under this article to distributors, importing distributors and retail dispensers shall unless revoked in the manner provided in this act be valid for the license year which may be established by the board for the particular license district in which the license issues.

(b) Malt or brewed beverage license issued under this

article to manufacturers and public service companies shall unless revoked in the manner herein provided be valid for the calendar year for which they are issued Licenses to such manufactures and public service companies may be issued at any time during a calendar year

Section 435 Filing of Applications For Distributors' Importing Distributors' and Retail Dispensers' Licenses Filing Fee Every person intending to apply for a distributor's importing distributor's or retail dispenser's license as aforesaid in any municipality of this Commonwealth shall file with the board his or its application All such applications shall be filed at a time to be fixed by the board for the particular license district as set up by the board under the provisions of this act The applicant shall at the time of filing the application and bond pay said board the filing fee of ten dollars as hereinafter specified

Section 436 Application For Distributors' Importing Distributors' and Retail Distributors' Licenses Application for distributors' importing distributors' and retail dispensers' licenses shall contain or have attached thereto the following information and statements

(a) The name and residence of the applicant and how long he has resided there and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired an a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation organized or registered under the laws of the Commonwealth when and where incorporated with the names and addresses of each officer and director all of whom shall be citizens of the United States if the application is for a distributor's or importing distributor's license and the applicant therefor is a corporation the application shall also contain a statement of facts showing the qualifications of the corporation as hereinbefore required together with the names and address of all stockholders

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this article except as hereinafter permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interesten therein during the continuance of the license except as hereinafter permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of malt or brewed beverages or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of malt or brewed beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location and such additional information as the board may require

(i) Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agents and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require

(j) The application must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the affiant shall be deemed

guilty of a misdemeanor and upon conviction shall be subject to the penalties provided by this act

Section 437 Prohibitions Against the Grant of Licenses (a) The board shall refuse to grant any licenses unless the application therefor contains the information required by this act and the premises meet such reasonable sanitary requirements as the board by regulation shall prescribe

(b) The board shall refuse to grant a license to any club when it appears that the operation of such license would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club

(c) Licenses shall be granted by the board only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

(d) No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or any of the penal laws of this Commonwealth or any penal ordinance or resolution of any political subdivision of this Commonwealth shall be issued any manufacturer's importing distributor's distributor's or retail dispenser's license nor shall such a person have any interest directly or indirectly in any such license

(e) No distributor's or importing distributor's license shall be issued for any premises in any part of which there is operated any retail license for the sale of liquor or malt or brewed beverages

Section 438 Number and Kinds of Licenses Allowed Same Licensee (a) Any retail dispenser may be granted licenses to maintain operate or conduct any number of places for the sale of malt or brewed beverages but a separate license must be secured for each place where malt or brewed beverages are sold

(b) No person shall possess or be issued more than one distributor's or importing distributor's license

(c) No person shall possess more than one class of license except that a holder of a retail dispenser's license may also be a holder of a retail liquor license

Section 439 Malt or Brewed Beverage License Fees No public service license and no license to any manufacturer distributor importing distributor or retail dispenser shall be issued under the provisions of this subdivision (B) until the licensee shall have first paid an annual license fee as follows

(a) In the case of a manufacturer the license fee shall be one thousand dollars (\$1000) for each place of manufacture and shall be paid to the board The fee for all such licenses when applied for and issued on or after April 1 but prior to July 1 shall be three-fourths of the annual fee July 1 but prior to October 1 shall be one-half of the annual fee October 1 but prior to January 1 shall be one quarter of the annual fee

(b) In the case of a distributor the license fee shall be four hundred dollars (\$400) and shall be paid to the board

(c) In the case of an importing distributor the license fee shall be nine hundred dollars (\$900) and shall be paid to the board

(d) In the case of a retail dispenser except clubs the license fee shall be graduated according to the population of the municipality in which the place of business is located and shall be paid to the board as follows

(1) Less than 10,000	\$100
(2) 10,000 and more but less than 50,000	\$150
(3) 50,000 and more but less than 100,000	\$200
(4) 100,000 and more but less than 150,000	\$250
(5) 150,000 and more	\$300

(e) In the case of a club the fee shall be twenty-five dollars in all cases and shall be paid to the board

(f) In the case of a public service license for cars the fee shall be ten dollars per car for the maximum number of cars operated on any one day on which malt or brewed beverages are sold to be paid to the board

(g) In the case of a public service license for the sale of malt or brewed beverages on a boat or vessel the fee

shall be fifty dollars for each such vessel or boat and shall be paid to the board

(h) The fee for filing applications for licenses and for renewals shall be ten dollars which together with fees for transfers shall be paid to the board

(i) The license fees fixed by this section shall be paid before the license or renewal is issued

Section 440 Sales By Manufacturers Of Malt Or Brewed Beverages Minimum Quantities No manufacturer shall sell any malt or brewed beverages for consumption on the premises where sold nor sell or deliver any such malt or brewed beverages in other than original containers approved as to capacity by the board nor in quantities of less than a case of twenty-four containers each holding one pint or less or a case of twelve containers each holding one quart nor shall any manufacturer maintain or operate within the Commonwealth any place or places other than the place or places covered by his or its license where malt or brewed beverages are sold or where orders are taken

Section 441 Distributors And Importing Distributors Restrictions on Sales Storage Etc (a) No distributor or importing distributor shall purchase receive or resell any malt or brewed beverages except in the original containers as prepared for the market by the manufacturer at the place of manufacture

(b) No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than a case of twenty-four containers each holding one pint or less or a case of twelve containers each holding one quart Provided That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor or in any place provided for such purpose by such distributor or importing distributor

(c) No distributor or importing distributor shall maintain or operate any place where sales are made other than that for which the license is granted

(d) No distributor or importing distributor shall maintain any place for the storage of malt or brewed beverages except in the same municipality in which the licensed premises is located and unless the same has been approved by the board In the event there is no place of cold storage in the same municipality the board may approve a place of cold storage in the nearest municipality

Section 442 Retail Dispensers Restrictions on Purchases And Sales (a) No retail dispenser shall purchase or receive any malt or brewed beverages except in original containers as prepared for the market by the manufacturer at the place of manufacture The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed Provided however That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities in excess of twelve containers each holding one pint or less or six containers each holding one quart and provided further That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or to persons not members of the club

(b) No retail dispenser shall sell any malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a retail dispenser from selling malt or brewed beverages in a hotel or club house in any room of such hotel or club house occupied by a bona fide registered guest or member entitled to purchase the same

Section 443 Interlocking Business Prohibited (a) No manufacturer of malt or brewed beverages and no officer or director of any such manufacturer shall at the same time be a distributor importing distributor or retail dispenser or an officer director or stockholder or creditor of any distributor importing distributor or retail dispenser nor except as hereinafter provided be the owner proprietor or lessor of any place for which a license has

been issued for any importing distributor distributor or retail dispenser or for which a hotel restaurant or club liquor license has been issued

(b) No distributor or importing distributor and no officer or director of any distributor or importing distributor shall at the same time be a manufacturer a retail dispenser or a liquor licensee or be an officer director stockholder or creditor of a manufacturer a retail dispenser or a liquor licensee or directly or indirectly own any stock of or have any financial interest in or be the owner proprietor or lessor of any place covered by any other malt or brewed beverage or liquor license

(c) No licensee licensed under this subdivision (B) of Article IV and no officer or director of such licensee shall directly or indirectly own any stock of or have any financial interest in any other class of business licensed under this subdivision

(d) Excepting as hereinafter provided no malt or brewed beverage manufacturer importing distributor or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage against the same for which a liquor or retail dispenser's license is granted nor shall any such manufacturer importing distributor or distributor either directly or indirectly lend any moneys credit or equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any liquor licensee or retail dispenser in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business operated under a liquor or retail dispenser's license excepting only the usual and customary credits allowed for returning original containers in which malt or brewed beverages were packaged for market by the manufacturer at the place of manufacture

(e) Excepting as hereinafter provided no manufacturer of malt or brewed beverages shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or an mortgage lien against the same for which a distributor's or importing distributor's license is granted nor shall any such manufacturer either directly or indirectly lend any moneys credit or their equivalent to or guarantee the payment of any bond mortgage note or other obligation of any distributor or importing distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where malt or brewed beverages are licensed for sale by a distributor or importing distributor excepting only the usual credits allowed for the return of original containers in which malt or brewed beverages were originally packaged for the market by the manufacturer at the place of manufacture

(f) No distributor importing distributor or retail dispenser shall in anywise receive either directly or indirectly and credit loan moneys or the equivalent thereof from any other licensee or from any officer director or firm member of any other licensee or from or through a subsidiary or affiliate of another licensee or from any firm association or corporation except banking institutions in which another licensee or any officer director or firm member of another licensee has a substantial interest or exercise a control of its business policy for equipping fitting out payment of license fee maintaining and conducting either in whole or in part an establishment or business operated under a distributor's importing distributor's or retail dispenser's license excepting only the usual and customary credits allowed for the return of original containers in which malt or brewed beverages were packaged for the market by the manufacturer at the place of manufacture

(g) The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by subdivision (B) of this article and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting

interest by a malt or brewed beverage manufacturer of any place occupied by a distributor importing distributor or retail dispenser after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to the eighteenth day of July one thousand nine hundred thirty-five

The term "manufacturer" as used in this section shall include manufacturers of malt or brewed beverages as defined in this act and any person manufacturing any malt or brewed beverages outside of this Commonwealth

Section 444 Malt or Brewed Beverages Manufactured Outside This Commonwealth (a) In addition to compliance with all other provisions of this act the board shall require each person desiring to sell any malt or brewed beverages manufactured outside this Commonwealth to Pennsylvania licensees and shall require each Pennsylvania licensee who desires to purchase and resell any such malt or brewed beverages to pay to the board the same fees as are required to be paid by Pennsylvania licensees or by persons or licensees in any state territory or country outside of Pennsylvania who desire to sell malt or brewed beverages manufactured in Pennsylvania to licensees in such other state territory or country of origin of such malt or brewed beverages not manufactured in Pennsylvania and to observe and comply with the same regulations prohibitions and restrictions are are required of or enforced against Pennsylvania licensees or persons who desire to purchase and resell malt or brewed beverages manufactured in Pennsylvania in such other state territory or country of origin

(b) In all cases where the board shall have issued any reciprocal regulations or orders concerning malt or brewed beverages manufactured in any state territory or country other than Pennsylvania no Pennsylvania licensee shall purchased any such malt or brewed beverages if their importation has been prohibited or if not entirely prohibited unless such regulations or orders have been observed and complied with by the Pennsylvania licensee and by the person from or through whom the Pennsylvania licensee desires to purchase

(c) Any malt or brewed beverages manufactured outside of Pennsylvania which are sold transported or possessed in Pennsylvania contrary to any such regulations or orders of the board or without the payment of the fees herein required shall be considered contraband and shall be confiscated by the board and disposed of in the same manner as any other illegal liquor or malt or brewed beverages

(d) Upon learning of the commission by a manufacturer of malt or brewed beverages whose principal place of business is outside this Commonwealth or by any servant agent employe or representative of such manufacturer within or partly within and partly outside this Commonwealth of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulation of the board adopted pursuant thereto or of any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages the board shall cite such manufacturer to appear before it or its examiner not less than ten nor more than fifteen days from the date of mailing such manufacturer at his principal place of business wherever located by registered mail a notice to show cause why the further importation into this Commonwealth of malt or brewed beverages manufactured by him should not be prohibited

(e) Upon such hearing whether or not an appearance was made by such outside manufacturer if satisfied that any such violation has occurred the board is specifically empowered and directed to immediately issue an order prohibiting the importation of malt or brewed beverages manufactured by such manufacturer into this Commonwealth for a period of not less than six months nor more than three years

(f) Notice of such board action shall be given immediately to such manufacturer and to all persons licensed

to import malt or brewed beverages within this Commonwealth by mailing a copy of such order to such manufacturer at its principal place of business wherever located and to such licensees at their licensed premises Thereafter it shall be unlawful for any person licensed to import malt or brewed beverages within this Commonwealth to purchase or sell any malt or brewed beverages manufactured by such outside manufacturer during the term of such prohibition

(g) Any violation of such prohibitory order shall be a misdemeanor and shall be punished in the same manner as herein provided for any other violation of this act and shall also constitute grounds for revocation or suspension of a license to import malt or brewed beverages

(h) In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order

(i) Any outside manufacturer aggrieved by the action of the board may appeal to the quarter sessions court of Dauphin County in the same manner as herein provided for appeals from refusals to grant licenses

(C) General Provisions Applying to Both Liquor and Malt and Brewed Beverages

Section 461 Limiting Number of Retail Licenses to be issued in each Municipality (a) No licenses shall hereafter be granted by the board for the retail sale of malt or brewed beverages or the retail sale of liquor and malt or brewed beverages in excess of one of such licenses of any class for each one thousand inhabitants or fraction thereof in any municipality exclusive of licenses granted to hotels as defined in this section and clubs but at least one such license may be granted in each municipality except in municipalities where the electors have voted against the granting of any retail licenses Nothing contained in this section shall be construed as denying the right to the board to renew or to transfer existing retail licenses of any class notwithstanding that the number of such licensed places in a municipality shall exceed the limitation hereinbefore prescribed but where such number equals or exceeds the limitation prescribed by this section no new license except for hotels as defined in this section and for an eighteen month period beginning with the effective date of this act incorporated clubs shall be granted so long as said limitation is equaled or exceeded provided however that during said period of eighteen months following the effective date of this act any club otherwise qualified may be licensed at any time after its incorporation whether or not it shall have been in existence and operation for a period of one year

(b) The board shall have the power to increase the number of licenses in any such municipality which in the opinion of the board is located within a resort area

(c) The word "hotel" as used in this section shall mean any reputable place operated by a responsible person of good reputation where the public may for a consideration obtain sleeping accommodations and which shall have

(1) In municipalities having a population of less than one thousand at least six permanent bedrooms for the use of guests

(2) In municipalities having a population of one thousand and more but less than three thousand inhabitants at least ten permanent bedrooms for the use of guests

(3) In municipalities having a population of three thousand and more but less than one hundred thousand inhabitants at least twelve permanent bedrooms for the use of guests and

(4) In municipalities having a population of one hundred thousand and more inhabitants at least fifteen permanent bedrooms for the use of guests

(5) A public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the dining room or rooms in which food is regularly prepared for the public

Section 462 Licensed Places may be closed during period of emergency The board may with the approval of the Governor

(a) Temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

(b) Advance by one hour the hours prescribed in this act as the hours during which liquor and malt or brewed beverages may be sold in any municipality during such part of the year when daylight saving time may be observed generally in such municipality

Section 463 Hearings upon refusal of licenses, renewals or transfers appeals The board may of its own motion and shall upon the written request of any applicant for hotel or restaurant liquor license or any applicant for any malt or brewed beverage license other than a public service license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witness for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue any such license or to renew or transfer any such license may appeal within twenty days from date of refusal to the court of quarter sessions or the county court of Allegheny County of the county in which the premises applied for is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days notice to the board which shall be represented in the proceeding by the Department of Justice The said appeal shall act as a supersedeas unless upon sufficient cause fix of which notice shall be given to the board The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board or order the issuance of the license to the applicant The parties to the proceeding may within thirty days from the filing of the order or decree of said court appeal therefrom to the Superior Court but in an appeal relating to a refusal to renew or transfer a license the said court shall not consider or inquire into the propriety of the original issuance or any prior renewal of such license

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 464 All licensees to furnish bond (a) No license shall be issued to any applicant under the provisions of this article until such applicant has filed with the board an appeal bond and a warrant of attorney to confess judgment payable to the Commonwealth of Pennsylvania in the amount hereinafter prescribed

(b) Bonds of all such applicants shall have as surety a surety company authorized to do business in this Commonwealth or shall have deposited therewith as collateral security cash or negotiable obligations of the United States of America or the Commonwealth of Pennsylvania in the same amount as herein provided for the penal sum of bonds In all cases where cash or securities in lieu of other surety have been deposited with the board the de-

positor shall be permitted to continue the same deposit from year to year on each renewal of license but in no event shall be permitted to withdraw his deposit during the time he hold said license or until six months after the expiration of the license held by him or while revocation proceedings are pending against such license All cash or securities received by the board in lieu of other surety shall be turned over by the board to the State Treasurer and held by him The State Treasurer shall repay or return money or securities deposited with him to the respective depositors only on the order of the board

(c) No such bond shall be accepted until approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to liquor alcohol other alcoholic liquids and malt or brewed beverages and the regulations of the board All bonds shall be retained by the board

(d) The penal sum of the respective bonds filed under the provisions of this section shall be as follows

(1) Manufacturers of malt or brewed beverages ten thousand dollars (\$10,000.00) for each place at which the licensee is authorized to manufacture

(2) Liquor importers ten thousand dollars (\$10,000.00) for each license

(3) Sacramental wine licensees ten thousand dollars (\$10,000.00)

(4) Importing distributors of malt or brewed beverages two thousand dollars (\$2,000.00)

(5) Hotel restaurant club and public service licensees two thousand dollars (\$2,000.00) but in the case of a railroad or pullman company such penal sum shall cover every dining club or buffet car of such company operated under such license

(6) Distributors of malt or brewed beverages one thousand dollars (\$1,000.00)

(7) Retail dispensers and public service malt or brewed beverage licensees one thousand dollars (\$1,000.00) for each place at which the licensee is authorized to sell malt or brewed beverages except that in the case of a railroad pullman or steamship companies said penal sum shall be one thousand dollars (\$1,000.00) irrespective of the number of licensed cars or ships operated by the company

(e) Every such bond may be forfeited when a license is revoked and shall be turned over to the Attorney General for collection if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act

Section 465 Disposition of cash and securities upon forfeiture of bond After notice from the board that any of the aforesaid bonds have forfeited the State Treasurer shall immediately pay into the State Stores Fund all cash deposited as collateral with such bond and when securities have been deposited with such bond the State Treasurer shall sell at private sale at not less than the prevailing market price any such securities so deposited as collateral with such forfeited bond The State Treasurer shall thereafter deposit in the State Stores Fund the net amount realized from the sale of such securities except that if the amount so realized after deducting proper costs and expenses is in excess of the penal amount of the bond such excess shall be paid over by him to the obligor on such forfeited bond.

Section 466 Display of License Every license issued under this article shall be constantly and conspicuously exposed under transparent substance on the licensed premises and no license shall authorize sales until this section has been complied with

Section 467 Licenses Not Assignable Transfers (a) Licenses issued under this articles may not be assigned The board upon payment of the transfer filing fee and the execution of a new bond is hereby authorized to transfer filing fee and the execution of a new bond is hereby authorized to transfer any license issued by it under the provisions of this article from one person to another or from one place to another or both within the same municipality as the board may determine but no transfer shall be made to a person who would not have been

eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board may determine such circumstances to justify its action transfers of licenses may be made not more than twice each license year at times fixed by the board In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by him From any refusal to grant a transfer the person aggrieved shall have the right to appeal in the manner herein before provided

(b) In the event that any person to whom a license shall have been issued under the provisions of this article shall become insolvent make an assignment for the benefit of creditors become a bankrupt by either voluntary or involuntary action the license of such person shall immediately terminate and be cancelled without any action on the part of the board and there shall be no refund made or credit given for the unused portion of the license fee for the remainder of the license year for which said license was granted. Thereafter no license shall be issued by the board for the premises wherein said license was conducted to any assignee committee trustee receiver or successor of such licensee until a hearing has been held by the board as in the case of a new application for license. In all such cases the board shall have the sole and final discretion as to the propriety of the issuance of a license for such premises and as to the time it shall issue and the period for which it shall be issued and shall have the further power to exact conditions under which said license shall be conducted.

Section 468 Applications for Transfers Fees Every applicant for a transfer of a license under the provisions of this article shall file a written application with the board together with a filing fee of twenty dollars (\$20.00) if the license to be transferred is a liquor license and ten dollars (\$10.00) if the license is a malt or brewed beverage license Such applications shall be in such form and shall be filed at such times as the board shall in its regulations prescribe Each such applicant shall also file an approved bond as required on original applications for such licenses

Whenever any license is transferred no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except the filing fee as herein provided

Section 469 Renewal of Licenses Temporary Provisions for Licensees in Armed Service (a) All applications for renewal of licenses under the provisions of this article shall be filed at least sixty days before the expiration date of same and not thereafter Unless the board shall have given ten days previous notice to the applicant of objections to the renewal of his license based upon violation by the licensee or his servants agents or employees of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol or malt or brewed beverages or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act or the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new approved bond and shall pay the requisite filing fee and license fee specified in this act

(b) In cases where a licensee or his servants agents or employees are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages and where the board has on file in such cases reports of its enforcement officers or investigators or from other sources that a licensee or his servants agents or employees have violated any of the aforementioned laws and a proceeding to revoke such li-

cence's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such license is pending before the board the board may in its discretion renew the license notwithstanding such alleged violations but such renewal license shall automatically be revoked if and when the licensee or any of his servants agents or employees are convicted of or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the board neither the license fee for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

(c) Notwithstanding anything to the contrary in this section any individual who holds a restaurant or hotel liquor license or a retail dispenser (hotel or eating place) malt or brewed beverages license in effect at the time such individual enters the armed forces of the United States of America may surrender to the board for safekeeping the said license and if surrendered shall furnish the board with documentary evidence as to his entering such armed forces Upon surrender of the license the board shall without the filing of an application for renewal or surety bond the payment of filing and license fees renew the said license from year to year and hold the same in its possession for the benefit of such licensee A license so renewed by the board shall to all intents and purposes be considered as in full force and effect notwithstanding the licensee is not exercising the privileges thereunder and shall be returned to the said licensee at any time within one year from the date of his honorable discharge from the armed forces of the United States upon the filing of an application therefor surety bond and payment of the filing and license fees as hereinafter provided The said application for return of license shall be on a form prescribed by the board accompanied by a filing fee in the sum of ten dollars (\$10.00) and the prescribed license fee except that when such application is filed after a portion of the then current license term has elapsed the license fee shall be prorated on a monthly basis for the balance of the license year Provided however That the said license shall not be returned if the electors of the municipality in which the licensed establishment is situate have voted against the granting of retail liquor licenses or against the granting of retail dispensed licenses as the case may be under the local option provision of this act In the event the premises originally covered by the license are not available for occupancy by the licensee at the time he files his application for return of license as hereinbefore provided he shall be permitted to file an application for transfer of the license to other premises in the same municipality Such transfer of the license shall be subject to all of the provisions of this act pertaining to the transfer of such licenses

This subsection (c) was enacted due to conditions caused by the present war and shall remain in effect only until the termination of said war and one year thereafter

Section 470 Revocation and suspension of licenses Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any intentional violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee within the scope of this article his officers servants agents or employees or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show

cause why such license should not be suspended or revoked. Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license. Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises. Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order during which time the licensee may take an appeal as provided for in this act. When a license is revoked the licensee's bond may be forfeited by the board. Any license whose license is revoked shall be ineligible to have a license under this act until the expiration of three years from the date such license was revoked. In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses. The aforesaid appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The said courts shall sustain, reject, change or modify the findings, conclusions and penalties of the board. The parties to such proceedings may within thirty days from the filing of the order or decree of said court appeal therefrom to the Superior Court. In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension. In the case of a manufacturer of malt or brewed beverages the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of a liquor importer, sacramental wine licensee and a malt or brewed beverage importing distributor thirty dollars (\$30) in the case of a distributor of malt or brewed beverages twenty dollars (\$20) for each day of suspension and in the case of a hotel restaurant and club liquor licensee and a rental malt or brewed beverage dispenser or transporter for hire ten dollars (\$10) for each day of suspension. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days.

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction.

Section 471 Local Option. In any municipality an election may be held on the date of the primary election immediately preceding any municipal election but not oftener than once in four years to determine the will of the electors with respect to the granting of liquor licenses to hotels, restaurants and clubs and not oftener than once in four years with respect to the granting of licenses to retail dispensers of malt and brewed beverages within the limits of such municipality under the provisions of this act. Provided however, Where an election shall have been held at the primary preceding a municipal election in any year another election may be held under the provisions of this act at the primary occurring the fourth year after such prior election. Whenever electors equal to at least twenty-five per centum of the highest vote case for any office in the municipality at the last preceding general election shall file a petition with the county board of elections of the county for a referendum on the question of granting either of said classes of licenses the said

county board of elections shall cause a question to be placed on separate ballots or on the voting machines and submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter. Said proceedings shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions insofar as such provisions are applicable.

When the question is in respect to the granting of liquor licenses it shall be in the following form:

Do you favor the granting of liquor licenses for the sale of liquor in	Yes
of	No

When the question is in respect to the granting of licenses to retail dispensers of malt and brewed beverages it shall be in the following form:

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the	Yes
of	No

In case of a tie vote or if a majority of the voting electors on such question vote "yes" then liquor licenses shall be granted by the board to hotels, restaurants and clubs or malt or brewed beverage retail dispenser licenses shall be granted by the board as the case may be in such municipality as provided by this act but if a majority of the electors voting on such question vote "no" then the board shall have no power to grant or to renew upon their expiration any licenses of the class so voted upon in such municipality.

If the electors of any municipality have heretofore voted or shall hereafter vote against the granting of the aforesaid liquor licenses or against the granting of the aforesaid malt and brewed beverage licenses no licenses so voted against shall be granted or renewed in such municipality unless and until in accordance with the provisions of this section the people therein shall have again voted on the question and decided in the affirmative.

Section 472 Places of amusement and persons interested therein not to be licensed. (a) No license for the sale of liquor or malt or brewed beverages in any quantity shall be granted to the proprietors, lessees, keepers or managers of any theatres, circus museum or other place of amusement nor shall any house be licensed for the sale of liquor or malt or brewed beverages which has passage or communication to or with any theatre, circus museum or other place of amusement and any license granted contrary to this act shall be null and void.

(b) Any proprietor, lessee, keeper or manager of any theatre, circus museum or other place of amusement or any other person who shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of one hundred dollars (\$100) and to undergo an imprisonment of not less than thirty (30) days.

(D) Unlawful Acts Penalties

Section 491 Unlawful Act Relative to Liquor, Alcohol and Liquor Licensees.

It shall be unlawful:

(1) Sales of Liquor. For any person by himself or by an employe or agent to expose or keep for sale or directly

or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth except in accordance with the provisions of this act or the regulations of the board. The clause shall not be construed to prohibit hospitals, physicians, dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional service or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician, dentist or veterinarian or selling medical preparations containing alcohol or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used. All such liquors so administered or sold by hospitals, physicians, dentists, veterinarians, pharmacists or chemists shall conform to the Pharmacopoeia of the United States or the National Formulary or the American Homeopathic Pharmacopoeia.

(2) Possession or Transportation of Liquor or Alcohol For any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first one thousand nine hundred and thirty-four or has not been purchased from a Pennsylvania Liquor Store or in accordance with the board's regulations. The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired. But nothing herein contained shall prohibit the manufacture or possession of wine by any person in his home for consumption of himself, his family and guests and not for sale, not exceeding during any one calendar year two hundred gallons, any other law to the contrary notwithstanding. Such wine shall not be manufactured, possessed, offered for sale or sold on any licensed premises.

(3) Purchase of Liquor or Alcohol For any person within this Commonwealth by himself or by an employee or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor or alcohol from any person or source other than a Pennsylvania Liquor Store except in accordance with the provisions of this act or the regulations of the board.

(4) Liquor Packages Without Official Seal For any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license or a priest, clergyman or rabbi who has purchased wine from the holder of a sacramental wine license to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained while containing that liquor bears the official seal of the board. The use of decanters or other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board but nothing herein contained shall prohibit the manufacture and possession of wine as provided in (20) of this section.

(5) Certain Liquor Licensee's Outside Advertisements For any liquor licensee except a manufacturer on his own premises to display in any manner whatsoever on the outside of his licensed premises or on any lot of ground on which the licensed premises are situated or on any building of which the licensed premises are a part any advertisement whatever relating to the brand name of any liquor or malt or brewed beverages.

(6) Failure to Break Empty Liquor Containers For any restaurant, hotel or club licensee his servants, agents or employees to fail to break any package in which liquors

were contained within twenty-four hours after the original contents were removed therefrom.

(7) Sales By Restaurant and Hotel Liquor Licensees For any restaurant or hotel licensee his servants, agents or employees to sell any liquor or malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a hotel licensee or a restaurant licensee when the restaurant is located in a hotel from selling liquor or malt or brewed beverages in any room of such hotel occupied by a bona fide guest.

(8) Sales of Liquor by Manufacturers and Licensed Importers For any manufacturer or licensed importer of liquor in this Commonwealth his agents, servants or employees to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores and in the case of a manufacturer to the holder of a sacramental wine license but a manufacturer or licensed importer may sell or offer to sell liquor to persons outside of this Commonwealth.

(9) Importation and Sales of Alcohol For any person to import alcohol into this Commonwealth or to sell alcohol to any person except in accordance with the regulations of the board.

(10) Possession of Alcohol For any person to have alcohol in his possession except in accordance with the provisions of this act and the regulations of the board.

(11) Fortifying, Adulterating or Contaminating Liquor For any licensee or any employee or agent of a licensee or of the board to fortify, adulterate or contaminate any liquor except as permitted by the regulations of the board or to refill wholly or in part with any liquid or substance whatsoever any bottle or other container bearing the official seal of the board.

(12) Importation of Liquor For any person other than the board or the holder of a sacramental wine license or of an importer's license to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and Pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth.

(13) Delivery of Liquor by Certain Licensees For a liquor licensee permitted to deliver liquor to make any deliveries except in his own vehicle bearing his name, address and license number on each side in letters not smaller than four inches in height or in the vehicle of another person duly authorized to transport liquor within this Commonwealth.

(14) Violation of Certain Rules and Regulations of Board For any person to violate any rules and regulations adopted by the board to insure the equitable wholesale and retail sale and distribution of liquor and alcohol through the Pennsylvania Liquor Stores.

(15) Offering Commission or Gift to Members of Board or State Employee For any person selling or offering to sell liquor or alcohol to or purchasing at wholesale liquor or alcohol from the board either directly or indirectly to pay or offer to pay any commission, profit or remuneration or to make or offer to make any gift to any member or employee of the board or other employee of the Commonwealth or to anyone on behalf of such member or employee.

Section 492 Unlawful Acts Relative to Malt or Brewed Beverages and Licensees

It shall be unlawful

(1) Manufacturing Without License For any person to manufacture malt or brewed beverages unless such person holds a valid manufacturer's license for such purpose issued by the board.

(2) Sales of Malt or Brewed Beverages for Consumption on the Premises For any person to sell to another for consumption upon the premises where sold or to permit another to consume upon the premises where sold

any malt or brewed beverages unless such person holds a valid retail dispenser license or a valid liquor license issued by the board authorizing the sale of malt or brewed beverages for consumption upon such premises

(3) Sales of Malt or Brewed Beverages Not for Consumption on the Premises For any person to sell to another any malt or brewed beverages not for consumption upon the premises where sold unless such person holds a valid license permitting such sale

(4) Sunday Sales of Malt or Brewed Beverages by Manufacturers Importing Distributors or Distributors For any manufacturer of malt or brewed beverages importing distributor or distributor or the servants agents or employees of the same to sell trade or barter in malt or brewed beverages between the hours of twelve o'clock midnight of any Saturday and two o'clock in the forenoon of the following Monday

(5) Sunday Sales of Malt or Brewed Beverages by Hotels Eating Place or Public Service Licensees For any hotel or eating place holding a retail dispenser's license or any malt or brewed beverage public service licensee or the servants agents or employees of such licensees to sell trade or barter in malt or brewed beverages between the hours of twelve o'clock midnight of any Saturday and seven o'clock in the forenoon of the following Monday or between the hours of two o'clock antemeridian and seven o'clock antemeridian of any week day

(6) Sales of Malt or Brewed Beverages on Election Day by Hotel Eating Place or Public Service Licensees For any hotel or eating place holding a retail dispenser's license or any malt or brewed beverage public service licensee or his servants agents or employees to sell furnish or give any malt or brewed beverages to any person after two o'clock antemeridian or until one hour after the time fixed by law for the closing of polling places on days on which a general municipal special or primary election is being held

(7) Clubs Selling Between Three o'clock Antemeridian and Seven o'clock Antemeridian For any club retail dispenser or its servants agents or employees to sell malt or brewed beverages between the hours of three o'clock antemeridian and seven o'clock antemeridian on any day

(8) Transportation of Malt or Brewed Beverages For any person to transport malt or brewed beverages except in the original containers or to transport malt or brewed beverages for another who is engaged in selling either liquor or malt or brewed beverages unless such person shall hold (a) a license to transport for hire alcohol liquor and malt or brewed beverages as hereinafter provided in this act or (b) shall hold a permit issued by the board and shall have paid to the board such permit fee not exceeding one hundred dollars (\$100) and shall have filed with the board a bond in the penal sum of not more than two thousand dollars (\$2000) as may be fixed by the rules and regulations of the Board any other law to the contrary notwithstanding

(9) Transportation of Malt or Brewed Beverages by Licensee For a malt or brewed beverage licensee to deliver or transport any malt or brewed beverages excepting in vehicles bearing the name and address and license number of such licensee painted or affixed on each side of such vehicle in letters no smaller than four inches in height

(10) Importing or Transporting Malt or Brewed Beverages Without Tax Stamps For any person to transport within or import any malt or brewed beverages into this Commonwealth except in accordance with the rules and regulations of the board or for any person to transport malt or brewed beverages into or within this Commonwealth unless there shall be affixed to the original containers in which such malt or brewed beverages are transported stamps or crowns evidencing the payment of the malt liquor tax to the Commonwealth Provided however That this clause shall not be construed to prohibit transportation of malt or brewed beverages through this Commonwealth and not for delivery therein if such transporting is done in accordance with the rules and regulations of the board

(11) Outside Advertisements by Certain Malt or Brewed Beverage Licensees For any manufacturer of malt or brewed beverages importing distributor or distributor his servants agents or employees to hereafter give furnish lease or sell or except a manufacturer on his own premises to hereafter lease purchase or receive for display or to display in any manner whatsoever on the outside of any licensed premises or on any lot of ground on which licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatsoever relating to malt or brewed beverages

(12) Possession or Storage of Liquor or Alcohol by Certain Licensees For any distributor importing distributor or retail dispenser or his servants agents or employees to have in his possession or to permit the storage of on the licensed premises or in any place contiguous or adjacent thereto accessible to the public or used in connection with the operation of the licensed premises any alcohol or liquor

(13) Malt or Brewed Beverage Licensees Dealing in Liquor or Alcohol For any malt or brewed beverage licensee other than a manufacturer or the servants agents or employees thereof to manufacture import sell transport store trade or barter in any liquor or alcohol

(14) Selling to Persons Doing Illegal Business For any malt or brewed beverage licensee or his servants agents or employees to knowingly sell any malt or brewed beverages to any person engaged in the business of illegally selling liquor or malt or brewed beverages

(15) (Distributors and Importing Distributors Failing to Keep Records For any importing distributor or distributor engaged in the sale of products other than malt or brewed beverages to fail to keep such complete separate records covering in every respect his transactions in malt or brewed beverages as the board shall by regulation require

(16) Fortifying Adulterating or Contaminating Malt or Brewed Beverages For any person to fortify adulterate contaminate or in any wise to change the character or purity of the malt or brewed beverages from that as originally marketed by the manufacturer at the place of manufacture

(17) Transportation of malt or brewed beverages with other commodities For any manufacturer importing distributor or distributor or his servants agents or employees except with board approval to deliver or transport any malt or brewed beverages in any vehicle in which any other commodity is being transported

(18) Distributors and importing distributors engaging in other business for any distributor or importing distributor of his servants agents or employees without the approval of the board and then only in accordance with board regulations to engage in any other business whatsoever except the business of distributing malt or brewed beverages

Section 493 Unlawful Acts Relative to Liquor Malt and Brewed Beverages and Licensees The term "licensee" when used in this section shall mean those persons licensed under the provisions of Article IV unless the context clearly indicates otherwise

It shall be unlawful

(1) Furnishing Liquor or Malt or Brewed Beverages to Certain Persons For any licensee or the board or any employee servant or agent of such licensee or of the board or any other person to sell furnish or give any liquor or malt or brewed beverages or to permit any liquor or malt or brewed beverages to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor or to habitual drunkards or persons of known intemperate habits

(2) Purchase or Sale of Liquor or Malt or Brewed Beverages on Credit For any licensee his agent servant or employee to sell or offer to sell or purchase or receive any liquor or malt or brewed beverages except for cash excepting credit extended by a hotel or club to a bona fide guest or member no right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause Nothing herein contained shall

prohibit a licensee from crediting to a purchaser the actual price charged for packages or original containers returned by the original purchaser as a credit on any sale or from refunding to any purchaser the amount paid by such purchaser for containers or as a deposit on containers when title is retained by the vendor if such original containers or packages have been returned to the licensee. Nothing herein contained shall prohibit a manufacturer from extending usual and customary credit for liquor or malt or brewed beverages sold to customers or purchasers who live or maintain places of business outside of the Commonwealth of Pennsylvania when the liquor or malt or brewed beverages so sold are actually transported and delivered to points outside of the Commonwealth. Provided however That as to all transactions affecting malt or brewed beverages to be resold or consumed within this Commonwealth every licensee shall pay and shall require cash deposits on all returnable original containers.

(3) Exchange of Liquor or Malt or Brewed Beverages For Merchandise etc. For any licensee or the board or any employee servant or agent of a licensee or of the board to sell offer to sell or furnish any liquor or malt or brewed beverages to any person on a pass book or store order or to receive from any person any goods wares merchandise or other articles except containers returned in exchange for liquor or malt or brewed beverages.

(4) Peddling Liquor or Malt or Brewed Beverages For any person to hawk or peddle any liquor or malt or brewed beverages in this Commonwealth.

(5) Failure to Have Brands as Advertised For any licensee has servants agents or employees to advertise or hold out for sale any liquor or malt or brewed beverages by trade name other designation which would indicate the manufacturer or place of production of the said liquor or malt or brewed beverages unless he shall actually have on hand and for sale a sufficient quantity of the particular liquor or malt or brewed beverages so advertised to meet requirements to be normally expected as a result of such advertisement or offer.

(6) Brand or Trade Name on Spigot For any licensee his agents servants or employees to furnish or serve any malt or brewed beverages from any faucet spigot or other dispensing apparatus unless the trade name or brand of the product served shall appear in full sight of the customer and in legible lettering upon such faucet spigot or dispensing apparatus.

(7) Alcoholic Strength on Label of Malt or Brewed Beverages For any licensee or his servants agents or employees to transport sell deliver or purchase any malt or brewed beverages upon which there shall appear a label or other informative data which in any manner refers to the alcoholic contents of the malt or brewed beverage or which refers in any manner to the original alcoholic strength extract or balling proof from which such malt or brewed beverage was produced. This clause shall not be construed to prohibit a manufacturer from designating upon the label or descriptive data the alcoholic contents of malt or brewed beverages intended for shipment into another state or territory when the laws of such state or territory require that the alcoholic content of the malt or brewed beverage must be stated upon the package.

(8) Advertisements on Labels Giving Alcoholic Content of Malt or Brewed Beverages For any manufacturer or other licensee or his servants agents or employees to issue publish or post or cause to be issued published or posed any advertisement of any malt or brewed beverage including a label which shall refer in any manner to the alcoholic strength of the malt or brewed beverages manufactured sold or distributed by such licensees or to use in any advertisement or label such words as "full strength" "high test" "high proof" "pre-war strength" or similar words or phrases which would lead or induce a consumer to purchase a brand of malt or brewed beverage on the basis of its alcoholic content or to use in or on any advertisement or label any numeral unless adequately explained in type of the same size prominence

and color or for any licensee to purchase transport sell or distribute any malt or brewed beverage advertised or labeled contrary to the provisions of this clause.

(9) Retail Licensees Furnishing Free Lunch etc. For any retail liquor licensee or any retail dispenser his agents servants or employees to furnish give or sell below a fair cost any lunch to any consumer except such articles of food as the board may authorize and approve.

(10) Entertainment on Licensed Premises (Except Clubs) Permits Fees For any licensee his servants agents or employees except club licensees to permit in any licensed premises or in any place operated in connection therewith dancing theatricals or floor shows of any sort or moving pictures other than such as are exhibited through machines operated by patrons by the deposit of coins which project pictures on a screen not exceeding in size twenty-four by thirty inches and which forms part of the machine unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises and lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not. The board shall have power to provide for the issue of such special permits and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five dollars (\$25). All such fees shall be paid into the State Stores Fund. No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places. Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his license.

(11) Licensees Employed by Others For any hotel restaurant or club liquor licensee or any malt or brewed beverage licensee or any servant agent or employee of such licensee to be at the same time employed directly or indirectly by any other person engaged in the manufacture sale transportation or storage of liquor malt or brewed beverage or alcohol.

(12) Failure to Have Records on Premises For any liquor licensee or any importing distributor distributor or retail dispenser to fail to keep on the licensed premises for a period of at least two years complete and truthful records covering the operation of his licensed business particularly showing the date of all purchases of liquor and malt or brewed beverages the actual price paid therefor and the name of the vendor including State Store receipts or for any licensee his servants agents or employees to refuse the board or an authorized employee of the board access thereto or the opportunity to make copies of the same when the request is made during business hours.

(13) Retail Licensees Employing Minors For any hotel restaurant or club liquor licensee or any retail dispenser to employ any minor or to permit any minor to render any service whatever in or about the licensed premises in accordance with board regulations nor shall any entertainer be employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth.

(14) Permitting Undesirable Persons or Minors to Frequent Premises For any hotel restaurant or club liquor licensee or any retail dispenser his servants agents or employees to permit persons of ill repute known criminals prostitutes or minors to frequent his licensed premises or any premises operated in connection therewith except minors accompanied by parents guardians or under proper supervision.

(15) Cashing Pay Roll Checks For any licensee or his servants agents or employees to cash pay roll checks except in accordance with board regulations.

(16) Furnishing or Delivering Liquor or Malt or Brewed Beverages at Unlawful Hours For any licensee his servants agents or employees to give furnish trade barter serve or deliver any liquor or malt or brewed beverages to any person during hours or on days when the licensee

is prohibited by this act from selling liquor or malt or brewed beverages

(17) Licensees etc Interested or Employed in Manufacturing or Sale of Equipment or Fixtures For any licensee or any officer director stockholder servant agent or employee of any licensee to own any interest directly or indirectly in or be employed or engaged in any business which involves the manufacture or sale of any equipment furnishings or fixtures to any hotel restaurant or club licensees or to any importing distributors distributors or retail dispensers Provided however That as to malt or brewed beverages licensees the provisions of this subsection shall not apply to such a conflicting interest if it has existed for a period of not less than three years prior to the first day of January one thousand nine hundred thirty-seven and the board shall approve

(18) Displaying Price of Liquor or Malt or Brewed Beverages For any restaurant hotel or club liquor licensee or any importing distributor distributor or retail dispenser or the servants agents or employees of such licensees to display on the outside of any licensed premises or to display any place within the licensed premises where it can be seen from the outside any advertisement whatsoever referring directly or indirectly to the price at which the licensee will sell liquor or malt or brewed beverages

(19) Retail Liquor and Malt or Brewed Beverage Licensee's Outside Advertisements For any retail liquor or malt or brewed beverages licensee to display in any manner whatsoever on the outside of his licensed premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part a sign of any kind printed painted or electric advertising any brand of liquor or malt or brewed beverage

(20) Retail Liquor and Malt or Brewed Beverage Licensee's Inside Advertisement For any retail liquor or malt or brewed beverages licensee to display or permit the display in the show window or doorways of his licensed premises any placard or sign advertising a brand of liquor or malt or brewed beverages if the total area of all such placards or signs exceeds fifteen by eighteen inches or two hundred seventy square inches Nothing herein shall prohibit a licensee from displaying inside his licensed premises point of sale displays advertising brand names of products sold by him other than a window or door display provided the total cost of all such point of sale advertising matter relating to products of any one manufacturer shall not exceed the sum of ten dollars (\$10) all such advertising material including the window and doors signs may be furnished by a manufacturer distributor or importing distributor

(21) Refusing the Right of Inspection For any licensee or his servants agents or employees to refuse the board or any of its authorized employees the right to inspect completely the entire licensed premises at any time during which the premises are open for the transaction of business or when patrons guests or members are in that portion of the licensed premises wherein either liquor or malt or brewed beverages are sold

(22) Allowance or Rebate to Induce Purchases For any licensee or his servants agents or employees to offer pay make or allow or for any licensee or his servants agents or employees to solicit or receive any allowance or rebate refunds or concessions whether in the form of money or otherwise to induce the purchase or liquor or malt or brewed beverages or any other commodity manufactured or sold by the licensee

(23) Money or Valuables Given to Employees to Influence Actions of Their Employers For any licensee or any agent employee or representative of any licensee to give or permit to be given directly or indirectly money or anything of substantial value in an effort to induce agents employees or representatives of customers or prospective customers to influence their employer or principal to purchase or contract to purchase liquor or malt or brewed beverages from the donor of such gift or to influence such employers or principals to refrain from dealing or contracting to deal with other licensees

(24) Things of Value Offered as Inducement For any licensee under the provisions of this article or the board or any manufacturer or any employee or agent of a manufacturer licensee or of the board to offer to give anything of value or to solicit or receive anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or malt or brewed beverage or to offer or give or solicit or receive anything of value as a premium or present to induce the purchase of liquor or malt or brewed beverage or for any other purpose whatsoever in connection with the sale of such liquor or malt or brewed beverage or for any licensee manufacturer or other person to offer or give to trade or consumer buyers any prize premiums gift or other similar inducement except advertising novelties of nominal value which the board shall define Provided however That this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

(25) Employment of Females in Licensed Places For any licensee or his agent to employ or permit the employment of any female at his licensed hotel restaurant or eating place to mix or serve liquor or malt or brewed beverages behind the bar or to employ any female for the purpose of enticing customers or to encourage them to drink liquor or make assignments for improper purposes Provided That nothing in this section shall be construed to prevent the employment of any female waitress who regularly takes orders for food from serving food liquor or malt or brewed beverages at tables also that nothing shall prevent any such licensees from employing any female stenographer hotel secretary clerk or other employee for their respective positions Provided further That nothing in this section shall be so construed as to prevent the wife of any such licensee or agent from mixing or serving liquor or malt or brewed beverages behind the bar of any such licensed place

Any person violating the provisions of this clause shall be guilty of a misdemeanor and upon conviction of the same shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) for each and every female so employed or undergo an imprisonment of not less than three (3) months nor more than one (1) year or either or both at the discretion of the court having jurisdiction of the case The board shall have the power to revoke or refuse licenses for violation of this clause.

Section 494 Penalties (a) Any person who shall violate any of the provisions of this article except as otherwise specifically provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than three hundred dollars (\$300) and on failure to pay such fine to imprisonment for not less than one month nor more than three months and for any subsequent offense shall be sentenced to pay a fine of not less than three hundred dollars (\$300) nor more than five hundred dollars (\$500) and to undergo imprisonment for a period not less than three months nor more than one year

(b) The right of the board to suspend and revoke licenses granted under this article shall be in addition to the penalty set forth in this section

Article V

Distilleries Wineries Bonded Warehouses Bailees For Hire And Transporters For Hire

Section 501 License Required Except as otherwise provided in this article and except as otherwise provided in article four as to malt and brewed beverages it shall be unlawful for any person without a license obtained under provisions of this article to hold in storage as bailee for hire or transport for hire any malt or brewed beverage or to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for

hire or transport for hire within this Commonwealth any alcohol or liquor except that a person may manufacture wine out of grapes grown in Pennsylvania by fermentation only and with no alcohol or alcoholic product added thereto by way of fortification and sell the same to a licensed winery or to Pennsylvania State Stores upon the filing by such manufacturer of a bond in the penal sum of five hundred dollars (\$500) and the securing of a license at a fee of twenty dollars (\$20) per annum. The bond and license shall be under the same terms and provisions as other bonds and licenses provided for by this article. Any person may manufacture wine out of grapes grown by him without a license or without filing a bond for the purpose of selling the same to a licensed winery or to Pennsylvania State Stores.

Section 502 Exemptions. No license hereunder shall be required from any registered pharmacist or a physician licensed by the State Board of Medical Education and Licensure or any person who makes and sells vinegar, nonalcoholic cider and fruit juices or any person who manufactures stores, sells or transports methanol, propanol, butanol and amanol or any person who conducts a wholesale drug business or any person who manufactures alcoholic preparations not fit for use as a beverage other than denatured alcohol or for geverage purposes any person engaged in the manufacture, possession or sale of patent, patented or proprietary medicines, toilet medicinal or antiseptic preparations unfit for beverage purposes or solutions or flavoring extracts or syrups unfit for beverage purposes or any person who manufactures or sells paints, varnishes, enamels, lacquers, stains or paint or varnish removing or reducing compounds or wood fillers or any person who manufactures any substance where the alcohol or any liquor is changed into other chemical substances and does not appear in the finished product as alcohol or liquor or any common carrier by railroad which is subject to regulation by the Public Service Commission of the Commonwealth of Pennsylvania or any person who sells stores or transports alcohol or liquor completely denatured as specified by the board.

Section 503 Qualifications for License. No license shall be issued under the provisions of this article to any person unless (a) in case of individuals he or she is a citizen of the United States of America; (b) in case of companies or unincorporated associations of individuals each and every one is a citizen of the United States of America; (c) in case of corporations each and every stockholder thereof is a citizen of the United States of America.

Section 504 Applications Filing Fees. (a) Every applicant for a license under this article shall file with the board a written application in such form as the board shall from time to time require. Every such application shall be accompanied by a filing fee of ten dollars (\$10), the prescribed license fee and the bond hereinafter specified and shall set forth:

1. The legal names of the applicant and of the owner of the place where business under the license will be carried on, with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof.

2. The exact location of said place of business and of every place to be occupied or used in connection with such business, the productive capacity of each plant where any alcohol or liquor is to be manufactured, produced, distilled, rectified, blended, developed or used in the process of manufacture, denatured, redistilled, recovered, reused, the capacity of every warehouse or other place where such alcohol or liquor or malt or brewed beverage is to be held in bond or stored for hire or the equipment to be used where a transportation business is to be carried on under the license.

3. That each and every one of the applicants is a citizen of the United States of America.

4. Such other relevant information as the board shall from time to time require by rule or regulation.

(b) Each application must be verified by affidavit of the applicant made before any officer legally qualified

to administer oaths and if any false statement is willfully made in any part of said application the applicant or applicants shall be deemed guilty of a misdemeanor and upon conviction shall be subject to the penalties provided by this act.

Section 505 Licenses Issued. Upon receipt of the application in the form herein provided, the proper fees and an approved bond as herein designated, the board may grant to such applicant a license to engage in (a) the operation of a winery or (b) the manufacturing, producing, distilling, developing or using in the process of manufacturing, denaturing, redistilling, recovering, rectifying, blending and reusing of alcohol and liquor or (c) the holding in bond of alcohol and liquor or (d) the holding in storage as bailee for hire of alcohol and liquor or (e) the transporting for hire of alcohol, liquor and malt or brewed beverages.

Section 506 Bonds Required. (a) No license shall be issued to any such applicant until he has filed with the board an approved bond duly executed payable to the Commonwealth of Pennsylvania together with a warrant of attorney to confess judgment in the penal sum herein set forth. All such bonds shall be conditioned for the faithful observance of all laws of this Commonwealth and regulations of the board relating to alcohol, liquor and malt or brewed beverages and the conditions of the license and shall have as surety a duly authorized surety company or shall have deposited therewith as collateral security cash or negotiable obligations of the United States of America or the Commonwealth of Pennsylvania in the same amount as herein provided for the penal sum of bonds.

(b) In all cases where cash or securities in lieu of other surety have been deposited with the board, the depositor shall be permitted to continue the same deposit from year to year on each renewal of license but in no event shall be permitted to withdraw his deposit during the time he holds said license or until six months after the expiration of the license held by him or while revocation proceedings are pending against such licensee.

(c) All cash or securities received by the board in lieu of other surety shall be turned over by the board to the State Treasurer and held by him. The State Treasurer shall repay or return money or securities deposited with him to the respective depositors only on the order of the board.

(d) After notice from the board that such a bond has been forfeited, the State Treasurer shall immediately pay into the State Stores Fund all cash deposited as collateral with such bond and when securities have been deposited with such a bond, the State Treasurer shall sell at private sale at not less than the prevailing market price any such securities so deposited as collateral with any such forfeited bond. The State Treasurer shall thereafter deposit in the State Stores Fund the net amount realized from the sale of such securities except that if the amount so realized after deducting proper costs and expenses is in excess of the penal amount of the bond, such excess shall be paid over by him to the obligor on such forfeited bond.

(e) The penal sum of bonds required to be filed by applicants for license shall be as follows:

In the case of a distillery (manufacturer) the bond shall be in the amount of ten thousand dollars (\$10,000); in the case of a bonded warehouse, a bailee for hire and a transporter for hire, each shall be in the amount of three thousand dollars (\$3,000); and in the case of a winery, shall be in the amount of five thousand dollars (\$5,000). Such bonds shall be filed with and retained by the board.

(f) Every such bond shall be turned over to the Department of Justice to be collected if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act.

Section 507 Hearings Upon Refusal of Licenses. The board may of its own motion and shall upon the written request of any applicant for license or for renewal thereof whose application for such license or renewal has been refused fix a time and place for hearing of such appli-

cation or renewal notice of which hearing shall be sent to the applicant by registered mail at the address given in his application. Such hearing shall be before the board a member thereof or an examiner designated by the board. At such hearing the board shall present its reasons for its refusal or withholding of such license or renewal thereof. The applicant may appear in person or by counsel may cross examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The examiner shall thereafter report to the board. The board shall thereafter grant or refuse the license or renewal thereof. If the board shall refuse such license or renewal following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application. In all cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order.

Section 508 License Fees The annual fee for every license issued to a winery shall be two hundred and fifty dollars (\$250). The annual fee for every license issued to a distillery (manufacturer) shall be twenty-five hundred dollars (\$2500) per annum if the annual production is five hundred thousand (500,000) proof gallons or less and an additional fee of one hundred dollars (\$100) for each one hundred thousand (100,000) proof gallons or fraction thereof in excess of five hundred thousand (500,000) proof gallons but for the purpose of determining the amount of the fee payable by a distillery the annual production of alcohol that is denatured by the manufacturer thereof during the license year in Pennsylvania and not elsewhere shall be excluded but alcohol or liquor used by the manufacturer thereof during the license year in rectification or blending shall not be excluded except that no fee of a distillery shall be less than twenty-five hundred dollars (\$2500) per annum. The annual fee for all other licenses shall be one hundred dollars (\$100). The fee for any license when applied for and issued on or after April first but prior to July first shall be three-fourth of the annual fee. July first but prior to October first shall be one-half of the annual fee. October first but prior to January first one-fourth of the annual fee.

For the purpose of this section the term "proof gallon" shall mean a gallon liquid which contains one half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit.

Section 509 License Must Be Posted Business Hours Licenses shall be issued by the board under its official seal. Every license so issued must at all times be posted in a conspicuous place where the business is carried on under it and said place of business must be kept open during general business hours of every day in the year except Sundays and legal holidays.

Section 510 Containers to be Labeled All persons except as exempted by section five hundred two hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire or transporting for hire of alcohol or liquor under the provisions of this article shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified blended reused a label stating the name of the manufacturer kind and quantity of alcohol or liquor contained therein and the date of its manufacture together with the number of the license authorizing the manufacture thereof and all persons possessing such alcohol or liquor in wholesale quantities shall securely keep and maintain such label thereon.

Section 511 License to Specify Each Place Authorized for Use Every license issued under the provision of this article shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder. It shall be unlawful for the holder

of any license to occupy or use any place in connection with any business authorized under a license other than the place or places designated therein.

Section 512 Records to be Kept Every person holding a license issued under the provisions of this article shall keep on the licensed premises daily permanent records which shall show (a) the quantities of any alcohol or liquor manufactured produced distilled developed denatured redistilled recovered reused stored in bond stored as bailee for hire received or used in the process of manufacture by him and of all other material used in manufacturing or developing any alcohol or liquor (b) the sales or other disposition of any alcohol liquor or malt or brewed beverages if covered by said license (c) the quantities thereof if any stored in bond stored for hire or transported for hire by or for the licensee and (d) the names and addresses of the purchasers or other recipients thereof. Provided however That persons holding licenses issued under the provisions of this article for the transportation for hire of any alcohol liquor or malt or brewed beverages shall not be required to keep the above records but shall keep daily permanent records showing the names and addresses of the persons from whom any alcohol liquor or malt or brewed beverage was received and to whom delivered and such other permanent records as the board shall prescribe.

Section 513 Premises and Records Subject to Inspection Every place operated under license secured under the provisions of this article where any alcohol liquor or malt or brewed beverages covered by the license is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified blended recovered reused held in bond stored for hire or in connection with a licensee's business shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by licensees and the books and records of licensees and the books and records of their customers in so far as they relate to purchases from said licensees shall at all times be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section. Members of the board and the persons duly authorized and designated by the board shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections.

Section 514 Suspension and Revocation of Licenses (a) Upon learning of any violation of this act or of any rule or regulation promulgated by the board under the authority of this act or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of alcohol liquor or malt or brewed beverages by the holder of a license issued under the provisions of this article or upon other sufficient cause the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten (10) nor more than fifteen (15) days from the date of sending such licensee by registered mail a notice addressed to his licensed premises to show cause why the license should not be suspended or revoked. Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license. And upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke such license notifying the licensee thereof by registered letter addressed to his licensed premises or to the address given in his application where no licensed premises is maintained in Pennsylvania.

(b) When a license is revoked the licensee's bond may

be forfeited by the board. Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act relating to alcohol liquor or malt or brewed beverages until the expiration of three (3) years from the date such license was revoked. In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which said license was conducted for a period of at least one (1) year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order.

Section 515 Appeals Any licensee aggrieved by any decision of the board refusing suspending or revoking a license under the provisions of this article may appeal within twenty (20) days from the date of refusal suspension or revocation to the court of quarter sessions of the county in which the licensed premises or the premises to be licensed are located. In the event an applicant or a licensee shall have no place of business established within the Commonwealth his appeal shall be to the court of quarter sessions of Dauphin County. Such appeal shall be upon petition of the applicant or licensee as the case may be who shall serve a copy thereof upon the board. The said appeal shall last as a supersedeas unless upon sufficient cause shown the court shall determine otherwise. The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board. The court shall in the case of a refusal by the board either sustain such refusal or order the issuance of the license to the applicant. The parties to such proceeding may within thirty (30) days from the filing of said court order or decree appeal therefrom to the Superior Court.

Section 516 Compromise Penalty in Lieu of Suspension In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and shall thereupon rescind its order of suspension. In the case of a distillery licensee the offer in compromise shall be at the rate of one hundred dollars (\$100) for each day of suspension in the case of a bonded warehouse bailee for hire and transporter for hire licensee twenty-five dollars (\$25) for each day and in the case of a winery licensee fifty dollars (\$50) for each day. No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred (100) days.

Section 517 Expiration of Licenses Renewals All licenses issued under this article shall expire at the close of the calendar year but new licenses for the succeeding year shall be issued upon written application therefor duly verified by affidavit stating that the facts in the original application are unchanged and upon payment of the fee as hereinafter provided and the furnishing of a new bond without the filing of further statements or the furnishing of any further information unless specifically requested by the board. Provided however that any such license issued to a corporation shall expire thirty (30) days after any change in the officers of such corporation unless the name and address of each such new officer of such corporation shall within that period be reported to the board by certificate duly verified. Applications for renewals must be made not less than thirty (30) nor more than sixty (60) days before the first day of January of the ensuing year. All applications for renewal received otherwise shall be treated as original applications.

Section 518 Unlawful Acts (a) It shall be unlawful for any person to transport any illegal alcohol liquor or malt or brewed beverages.

(b) Whenever any person withdraws or removes any alcohol or liquor which has not been denatured from any distillery denaturing plant winery or bonded warehouse for the purpose of denaturing the same it shall be

unlawful for any such person to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or liquor unless before such sale or use the said alcohol or liquor shall be denatured by adding thereto denaturing material or materials or admixtures thereof which render it unfit for beverage purposes.

(c) It shall be unlawful any person to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or liquor from denatured alcohol or from any other liquid or to knowingly use sell conceal or otherwise dispose of alcohol or liquor so recovered or redistilled.

Section 519 Penalties Except as otherwise specifically provided any person or persons who knowingly violate any of the provisions of this article or any person who shall violate any of the conditions of any license issued under the provisions of this article or who shall falsify any record or report required by this article to be kept or who shall violate any rule or regulation of the board or who shall interfere with hinder or obstruct any inspection authorized by this article or prevent any member of the board or any person duly authorized and designated by the board from entering any place which such member of the board or such person is authorized by this article to enter for the purpose of making an inspection or who shall violate any other provision of this article shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one thousand dollars (\$100) nor more than five thousand dollars (\$5000) or undergo imprisonment of not more than three (3) years or both at the discretion of the court.

Article VI

Property Illegally Possessed or Used Forfeitures Nuisances

(A) Forfeitures

Section 601 Forfeiture of Property Illegally Possessed or Used No property rights shall exist in any liquor alcohol or malt or brewed beverage illegally manufacturer or possessed or in any still equipment material utensil vehicle boat vessel animals or aircraft used in the illegal manufacture or illegal transportation of liquor alcohol or malt or brewed beverages and the same shall be deemed contraband and shall be forfeited to the Commonwealth. No such property when in the custody of the law shall be seized or taken therefrom on any writ of replevin or like process.

Section 602 Forfeiture Proceedings (a) The proceedings for the forfeiture or condemnation of all property shall be in rem in which the Commonwealth shall be the plaintiff and the property the defendant. A petition shall be filed in the court of quarter sessions verified by oath or affirmation of any officer or citizen containing the following: (1) A description of the property so seized; (2) a statement of the time and place where seized; (3) the owner if known; (4) the person or persons in possession if known; (5) an allegation that the same had been possessed or used or was intended for use in violation of this act; (6) and a prayer for an order of forfeiture that the same be adjudged forfeited to the Commonwealth unless cause be shown to the contrary.

(b) A copy of said petition shall be served personally on said owner if he can be found within the jurisdiction of the court or upon the person or persons in possession at the time of the seizure thereof. Said copy shall have endorsed thereon a notice as follows:

"To the Claimant of Within Described Property: You are required to file an answer to this petition setting forth your title in and right to possession of said property within fifteen (15) days from the service hereof and you are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against said property."

Said notice shall be signed by petitioner or his attorney or the district attorney or the Attorney General.

(c) If the owner of said property is unknown or outside the jurisdiction of the court and there was no person in possession of said property when seized or such person so in possession can not be found within the jurisdiction of the court notice of said petition shall be given by an advertisement in only one newspaper or general circulation published in the county where such property shall have been seized once a week for two (2) successive weeks. No other advertisement of any sort shall be necessary any other law to the contrary notwithstanding. Said notice shall contain a statement of the seizure of said property with a description thereof the place and date of seizure and shall direct any claimants thereof to file a claim thereon on or before a date given in said notice which date shall not be less than ten (10) days from the date of the last publication.

(d) Upon the filing of any claim for said property setting forth a right of possession thereof the case shall be deemed at issue and a time be fixed for the hearing thereof.

(e) At the time of said hearing if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used the burden shall be upon the claimant to show (1) that he is the owner of said property (2) that he lawfully acquired the same and (3) that it was not unlawfully used or possessed.

In the event such claimant shall prove by competent evidence to the satisfaction of the court that said liquor alcohol or malt or brewed beverage or still equipment material utensil vehicle boat vessel container animal or aircraft was lawfully acquired possessed and used then the court may order the same returned or delivered to the claimant but if it appears that the property was unlawfully possessed or used the court shall order it destroyed delivered to a hospital or turned over to the board as hereinafter provided.

Section 603 Disposition of Forfeited Property If upon petition as hereinbefore provided and hearing before the court of quarter sessions it appears that any liquor alcohol or malt or brewed beverage was so illegally possessed or property so used in the illegal manufacture or transportation of liquor alcohol or malt or brewed beverage such liquor alcohol malt or brewed beverage or property shall be adjudged forfeited and condemned and shall be disposed of as follows:

(a) Upon conviction of any person or a violation of any of the provisions of this act the court shall order the sheriff to destroy all such condemned liquor alcohol or malt or brewed beverage and property seized or obtained from such defendants except that the court may order the liquor alcohol or malt or brewed beverages or any part thereof to be delivered to a hospital for its use and make return to the court of compliance with said order and any vehicle container boat vessel animals or aircraft seized under the provisions of this act shall be disposed of as hereinafter provided.

(b) In any case in which the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or no claimant appears for same or appearing is unable to sustain claim thereof the court shall order all such condemned liquor alcohol and malt or brewed beverages and property (except vehicles boats vessels containers animals and aircraft) publicly destroyed by the sheriff except that the court may order the liquor alcohol or malt or brewed beverages or any part thereof to be delivered to a hospital for its use. Return of compliance with said order shall be made by the sheriff to the court.

(c) In the case of any vehicle boat container animal or aircraft seized under the provisions of this act and condemned the court shall order the same to be delivered to the board for its use or for sale or disposition by the board in its discretion. Notice of such sale shall be given in such manner as the board may prescribe. The proceeds of such sale shall be paid into the State Stores Fund.

Section 604 Motor Vehicle Licenses to be Revoked In addition to the foregoing provisions the court may in its

order of condemnation and in every conviction under this act where it shall appear that liquor alcohol or malt or brewed beverages were unlawfully transported in a motor vehicle declare that the license issued by the Department of Revenue for any motor vehicle so forfeited and condemned or issued to any defendant convicted of transporting liquor alcohol or malt or brewed beverages in any motor vehicle shall be forfeited and revoked and it shall be the duty of the clerk of the court in which such conviction is had and order of condemnation made to certify such conviction to the Secretary of Revenue who shall suspend or revoke the license issued for such motor vehicle. Provided That a license may be issued for such motor vehicle to the board or to any purchaser of the vehicle after the sale thereof as above provided.

Section 605 Application of Subdivision The provisions of this subdivision shall apply to the disposition of any liquor alcohol or malt or brewed beverage or property in the custody of the law or of any officer at the time of the passage of this act.

(B) Nuisances

Section 611 Nuisances Actions to Enjoin (a) Any room house building boat vehicle structure or place except a private home where liquor alcohol or malt or brewed beverages are manufactured possessed sold transported offered for sale bartered or furnished or stored in bond or stored for hire in violation of this act and all such liquids beverages and property kept or used in maintaining the same are hereby declared to be common nuisances and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties provided in this act.

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General or by the district attorney of the proper county. Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs. If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings. If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquids beverages or other things used in connection with the violation of this act constituting such nuisance. No bond shall be required in instituting such proceedings. It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no liquor alcohol or malt or brewed beverage shall be manufactured sold offered for sale transported bartered or furnished or stored in bond or stored for hire in such room house building structure boat vehicle or place or any part thereof.

(c) Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars (\$500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that neither liquor alcohol nor malt or brewed beverages will thereafter be manufactured sold transported offered for sale bartered or furnished or stored in bond or stored for hire therein or thereon in violation of this act and that he will pay all fines

costs and damages that may be assessed for any violation of this act upon said property

Article VII

Dealing in Distillery Bonded Warehouse Certificates

(A) Preliminary Provisions

Section 701 Definitions and Interpretation (a) When used in this article the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Agent" shall mean and include every person employed by a distillery certificate broker to sell offer for sale or delivery to purchase exchange or to enter into agreements for the purchase sale or exchange or to solicit subscriptions to or orders for or to undertake to dispose of or to deal in any manner in distillery bonded warehouse certificates

"Fraud" "fraudulent" and "fraudulent practice" shall include any misrepresentation in any manner of a relevant fact not made honestly and in good faith any promise or representation or prediction as to the future not made honestly and in good faith or an intentional failure to disclose a material fact the gaining directly or indirectly through the purchase sale or exchange of distillery bonded warehouse certificates of any promotion fee or profit selling or managing commission or profit so gross and exorbitant as to the unconscionable and fraudulent and any scheme device artifice or investment plan to obtain such an unconscionable profit Provided however That nothing herein shall limit or diminish the full meaning of the term "fraud" and "fraudulent" as applied or accepted in courts of low or equity

(b) Nothing contained in this article shall be construed as permitting the holder or owner of a distillery bonded warehouse certificate as defined in this act to secure possession of the whiskey or other potable distilled spirits named or designated in such certificate except in accordance with the provisions of this act and the laws of this Commonwealth hereafter enacted relating to alcohol or alcoholic beverages and the regulations of the board adopted and promulgated thereunder

(B) Permits

Section 702 Unlawful to act as a Distillery Certificate Broker or to Buy or Sell Distillery Bonded Warehouse Certificate without a Permit It shall be unlawful for any person except as hereinafter exempted directly or through an agent to sell purchase exchange offer for sale deliver enter into agreements for the purchase sale exchange solicit subscriptions to orders for undertake to dispose of deal in any manner in distillery bonded warehouse certificate without first having obtained a permit to act as a distillery certificate broker as provided in this article

Section 703 Authority to Issue Permits to Distillery Certificate Brokers Subject to the provisions of this article and regulations promulgated under this act the board shall have authority to issue to any reputable financially responsible person whose plan of business in dealing in distillery bonded warehouse certificates is not deemed by the board to constitute "fraudulent practice" as defined herein a permit to act as distillery certificate broker

Section 704 Application for Permit Filing Fee Every applicant for a distillery certificate broker permit shall file a written application with the board outlining his plan of business in dealing in distillery bonded warehouse certificates in such form and containing such other information as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars (\$10) and the prescribed permit fee If the applicant is a natural person his application must show that he is a citizen of the United States and if a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania

The application shall be signed and verified by oath or affirmation of the applicant if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of all the officers thereof All applications must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the signer shall be guilty of a misdemeanor and upon indictment and conviction shall be subject to penalties provided by this act

Section 705 Issuance of Permits Upon receipt of the application and proper fees and upon being satisfied of the truth of the statements in the application and being also satisfied that the applicant's plan of business in dealing in distillery bonded warehouse certificates does not constitute "fraudulent practice" as defined in this article and that the applicant is a person of good repute and financially responsible the board may issue to such applicant a permit authorizing the permittee to sell purchase exchange pledge and deal in distillery bonded warehouse certificates

Section 706 Office or Place of Business to be Maintained Every applicant for a distillery certificate broker permit under this article and every person to whom such a permit is issued shall maintain an office or place of business within the Commonwealth

Section 707 Permit Fee Permits Not Assignable or Transferable Display of Permit Term of Permit Every applicant for a distillery certificate broker permit shall before receiving such permit pay to the board an annual permit fee of one hundred dollars (\$100) Permits issued under this act may not be assigned or transferred and shall be conspicuously displayed at the place of business of the permittee All permits shall be valid only during the year for which issued and shall automatically expire on the thirty-first day of December of each calendar year unless suspended revoked or cancelled prior thereto

Section 708 Records to be Kept Every person holding a permit issued under this act shall keep daily permanent records containing a complete record of all transactions in distillery bonded warehouse certificates within this Commonwealth in such form and manner as the board may from time to time prescribe Such records shall be available for examination by the board's officers at the broker's principal place of business or office in Pennsylvania

Section 709 Renewal of Permits Upon the filing of an application and the payment of the prescribed filing fee and permit fee in the same amount as herein required on original applications for permits the board may renew the permit for the calendar year beginning January first provided such application for renewal is filed and fee paid on or before December fifteenth of the preceding year unless the board shall have given previous notice of objections to the renewal of the permit based upon violation of this article or the board's regulations promulgated thereunder or unless the applicant has by his own act become a person of ill repute or ceases to be financially responsible

Section 710 Permit Hearings Appeals from Refusal of the Board to Issue or Renew Permits The board may of its own motion and shall upon written request of any applicant for a distillery certificate broker permit or for renewal thereof whose application for such permit or renewal has been refused fix a time and place for hearing of such application for permit or for renewal thereof notice of which hearing shall be sent by registered mail to the applicant at the address given in his application Such hearing shall be before the board or a member thereof At such hearing the board shall present its reasons for its refusal or withholding a permit or renewal thereof The applicant may appear in person or by counsel cross-

examine the witnesses of the board and may present evidence which shall be subject to cross-examination by the board. Such hearing shall be stenographically recorded. The board shall thereupon grant or refuse the permit or renewal thereof. If the board shall refuse such permit or renewal following such hearing notice in writing of such refusal shall be sent by registered mail to the applicant at the address given in his application. In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant. Any applicant who has appeared before the board at any hearing as above provided who is aggrieved by the refusal of the board to issue or to renew a distillery certificate broker permit may appear within twenty days from the date of refusal to the court of common pleas of Dauphin County.

Section 711 Procedure of Appeal Record to be Certified. Cost of preparing Record Appeal to Supreme Court. Such appeal to the court of common pleas of Dauphin County shall be upon petition of the applicant against the board officially as defendant alleging therein in brief detail the action and decision complained of and praying for a reversal thereof. Upon service of a summons upon the board returnable within ten days from its date the board shall on or before the return day file an answer in which it shall allege by way of defense the grounds for its decision. It shall also on or before the return day of such summons certify to the court of common pleas of Dauphin County the record of the proceedings to which the petition refers. Such record shall include the testimony taken therein the findings of fact if any of the board based upon such testimony a copy of all orders made by the board in the proceedings and a copy of the action or decision of the board which the petition calls upon the court to reverse. The cost of preparing and certifying such record shall be paid to the board by the petitioner and taxed as part of the costs in the case to be paid as directed by the court upon the final determination of the case.

Upon the filing of the board's answer the case before the court of common pleas of Dauphin County shall be at issue without further pleadings and upon application of either party the case shall be advanced and heard without delay. Mere technical irregularities in the procedure of the board shall be disregarded.

The case shall be heard upon the record certified to the court by the board. Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the board for the taking of further testimony.

From the decision of the court of common pleas of Dauphin County an appeal may be taken by either party to the Supreme Court of Pennsylvania as in other cases.

Section 712 Revocation and Suspension of Permit

Upon learning of any violation of this act or regulation of the board promulgated thereunder or any violation of any laws of this Commonwealth or of the United States of America by the permittee his officers servants agents or employees or upon any other sufficient cause show the board may cite such permittee to appear before it or a member thereof not less than ten nor more than fifteen days from the date of sending such permittee by registered mail a notice addressed to him at the address set forth in the application for permit to show cause why such permit should not be suspended or revoked. When such notice is duly addressed and deposited in the post office it shall be deemed due and sufficient notice. Hearings on such citations shall be held in the same manner as provided herein for hearing on application for permit. Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the permit notifying the permittee thereof by registered letter addressed to the address set forth in the application for permit. Any permittee whose permit is revoked shall be ineligible to have a permit under this act until the expiration of three years from the date such permit was revoked. In

all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order. In the event the person whose permit was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of common pleas of Dauphin County in the same manner as herein provided for appeals from refusals to grant permits.

(C) Permittees' Registered Agents

Section 721 Unlawful to act as Agent or to employ Agents without Registration. It shall be unlawful for a distillery certificate broker to employ any person to act as agent or for any person to act as agent for any distillery certificate broker in purchasing exchanging offering for sale delivering entering into agreements for the purchase sale exchange soliciting subscriptions to orders for undertaking to dispose of dealing in any manner in distillery bonded warehouse certificates without such person first having been registered as an agent as provided in this article.

Section 722 Registered Agents. Every person holding a distillery certificate broker permit under this article who desires to employ an agent or agents in the operation of his business under the permit shall make application to the board for registration of such agent or agents. Every such permittee's application shall set forth the name of the permittee and the address of his main office or principal place of business in Pennsylvania and the full address where complete records are maintained covering the permittee's operations in Pennsylvania. With each such permittee's application there shall be filed an agent's application for each agent to be registered. Permittees' applications for agents and agents' applications shall contain such information as the board shall from time to time require and shall be signed and verified by oath or affirmation of the agent. Each application shall be accompanied by two unmounted photographs of the agent.

Section 723 Registration Fee. Every application for the registration of agents filed by a permittee shall be accompanied by a registration fee in the amount of ten dollars (\$10) for each agent to be registered which shall cover the agent's registration from date of approval until December thirty-first of the year in which approved. Registrations may be renewed for a period of one calendar year upon the filing of a new application and payment of the same registration fee as herein provided for original registration together with agent's new applications and photographs of each agent. Applications for renewal of registration shall be filed not later than December fifteenth of each year.

Section 724 Registration and Issuance of Identification Card. Upon receipt of the application the proper fees and upon being satisfied of the truth of the statements in the application and that the applicant is a person of good reputation and the applicant seeks a registration as defined in this act the board may register such agent and issue to him an identification card.

Section 725 Hearings Upon Refusal of the Board Appeals. In the event that the board shall refuse to issue or to renew an agent's registration a hearing shall be had and an appeal from the board's order may be taken to the same court and in the same manner as herein provided in the case of refusal of the board to issue or renew distillery certificate broker permits.

Section 726 Revocation and Suspension of Agents' Registrations. Upon learning of any violation of this act or regulation of the board promulgated thereunder or any violation of any laws of this Commonwealth or of the United States of America by a registered agent the board may revoke or suspend the agent's registration in the same manner as provided herein for the revocation and suspension of distillery certificate broker permits. In the event the agent whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of common

pleas of Dauphin County in the same manner as herein provided for appeals in the case of suspension or revocation of distillery certificate broker permits

Section 727 Identification Cards Upon approval by the board of the application for registration of an agent there shall be issued to such registered agent an identification card containing the name and address of the distillery certificate broker the name address and physical description of the agent There shall also be affixed to the identification card a photograph of the agent and no identification card shall be valid until signed by both the distillery certificate broker and the agent and countersigned by a representative of the board

Before any agent's registration can be changed from one distillery certificate broker to another the identification card of such agent shall either be returned to the board by the broker under whom he is registered or such broker shall file with the board a notice in writing that he has knowledge of and consents to the employment of such agent by the other broker

When the employment of any agent is terminated the broker shall immediately notify the board and the identification card issued to the agent shall be surrendered to the board

(D) Exemptions

Section 731 Bank and Trust Companies and other Persons Exempt Bank and trust companies and other persons duly authorized within this Commonwealth to engage in the business of lending money to licensed distillers rectifiers importers and distillery certificate brokers may without a permit required under the provisions of this act accept distillery bonded warehouse certificates as security on collateral for any loan made in the regular conduct of their business and such banks and trust companies and other persons may liquidate such security or collateral by sale only to licensed distillers rectifiers importers or distillery certificate brokers

Section 732 Distillers Rectifiers and Importers Duly licensed distillers rectifiers and importers may without a permit required under the provisions of this article deal in distillery bonded warehouse certificates but only with other duly licensed distillers rectifiers importers and with distillery certificate brokers

Section 733 Certificates Owned Since July 24 1939 Persons other than licensed distillers rectifiers importers and distillery certificate brokers holding distillery bonded warehouse certificates on and since the twenty-fourth day of July one thousand nine hundred thirty-nine may dispose of same without a permit required under the provisions of this act but only to or through a distillery certificate broker holding a permit from the board

(E) Administration and Enforcement

Section 741 Duties of the Board It shall be the duty of the board to see that the provisions of this article are at all times properly administered and obeyed and to take such measures and make such investigations as will detect the violations of any provisions thereof In the event it shall discover any violation it shall in addition to revoking any permit or registration of an agent take such measures as may be necessary to cause the apprehension and prosecution of all persons deemed guilty thereof

(F) Fines and Penalties

Section 751 Penalties Any person who shall violate any of the provisions of this article or who shall engage in any fraud or fraudulent practice as defined herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine of not less than one thousand dollars (\$1000) nor more than five thousand dollars (\$5000) or undergo imprisonment of not less than one year nor more than five years or both at the discretion of the court

Article VIII

Disposition of Moneys Collected Under Provisions of Act

Section 801 Moneys Paid Into Liquor License Fund and Returned to Municipalities (a) The following fees collected by the board under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the "Liquor License Fund"

(1) License fees for hotel restaurant and club liquor licenses

(2) License fees for retail dispensers (malt and brewed beverages) licenses

(b) The moneys in the "Liquor License Fund" shall on the first days of February and August of each year be paid by the board to the respective municipalities in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licenses in such municipalities during the preceding period

(c) The board shall have the power to appropriate moneys in the Liquor License Fund for the payment of claims for refunds allowed and approved by the board for moneys paid into the Liquor License Fund because of the over-payment or overcharge on license fees In the event that the moneys in the Liquor License Fund have been distributed to the respective municipalities the board shall have the authority to deduct from the next semi-annual payment to the respective municipalities the amount of any over-payment previously refunded by the board to any person on account of an overcharge or over-payment on a license fee

Section 802 Moneys Paid Into the State Stores Fund for Use of the Commonwealth All moneys except fees to be paid into the Liquor License Fund as provided by the preceding section collected received or recovered under the provisions of this act for license fees permit fees filing fees and registration fees from forfeitures sales of forfeited property compromise penalties and sales of liquor and alcohol at the Pennsylvania Liquor Stores shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund"

All moneys in such fund shall be available for the purposes for which they are appropriated by law

Section 803 Alcohol Tax Moneys Paid Into General Fund All taxes collected or received by the board on sales of taxable alcohol under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into the General Fund

Article IX

Repeals

Section 901 Acts and Parts of Acts Repealed The following acts and parts of acts and all amendments thereof are hereby repealed to the extent hereinafter specified

Section five of the act passed in one thousand seven hundred five (1 Sm L 25) entitled "An act to restrain people from labour on the first day of the week" absolutely

The act passed in one thousand seven hundred five (1 Sm L 43) entitled "An act for selling beer and ale by wine-measure" absolutely

The act passed the thirty-first day of May one thousand seven hundred eighteen (1 Sm L 104) entitled "An act empowering the justices to settle the prices of liquors in public houses and provender for horses in public stables" absolutely

The act passed the twenty-sixth day of August one thousand seven hundred twenty-one (1 Sm L 126) entitled "A supplementary act to a law of this province entitled an act that no public house or inn within this province be kept without license" absolutely

Section twenty of the act approved the thirtieth day of March one thousand eight hundred eleven (P. L. 145) entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts and the payment of the public monies and for other purposes" absolutely

The act approved the fourteenth day of March one

thousand eight hundred fourteen (P. L. 100) entitled "An act providing for the inspection of spirituous liquors" absolutely

Section one two three and four of the act approved the second day of April one thousand eight hundred twenty-two (P. L. 286) entitled "An act to prevent the disturbance of meetings held for the purpose of religious worship" absolutely

The act approved the eighth day of March one thousand eight hundred fifteen (P. L. 91) entitled "An act altering the mode of issuing tavern licenses" absolutely

The act approved the thirteenth day of March one thousand eight hundred fifteen (P. L. 171) entitled "A supplement to the act entitled 'An act providing for the inspection of spirituous liquors' passed the fourteenth day of March one thousand eight hundred and fourteen and for the prevention of fraud in the purchase or sale of our or whiskey" absolutely

The act approved the twenty-seventh day of March one thousand eight hundred twenty-one (P. L. 133) entitled "An act to regulate inspections" absolutely

The act approved the second day of April one thousand eight hundred twenty-one (P. L. 244) entitled "An act laying a duty on the retailers of foreign merchandize" in so far as it relates to wine or distilled liquors

Section two of the act approved the second day of April one thousand eight hundred twenty-two (P. L. 226) entitled "A further supplement to the act entitled 'An act relative to habitual drunkards'" absolutely

The act approved the sixteenth day of January one thousand eight hundred twenty-three (P. L. 10) entitled "A supplement to the act entitled 'An act providing for the inspection of spirituous liquors'" absolutely

Section one of the act approved the twelfth day of April one thousand eight hundred twenty-five (P. L. 247) entitled "An act more effectually to secure the collection of the revenue from tavern licenses and for other purposes" absolutely

The act approved the seventh day of April one thousand eight hundred thirty (P. L. 352) entitled "An act to regulate inns and taverns" absolutely

The act approved the fifteenth day of February one thousand eight hundred thirty-two (P. L. 73) entitled "A supplement to an act entitled 'An act to regulate inns and taverns' passed April seventh eighteen hundred and thirty" absolutely

Sections one two three four five ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six and twenty-seven of the act approved the eleventh day of March one thousand eight hundred thirty-four (P. L. 117) entitled "An act relating to Inns Taverns and retailers of vinous and spirituous liquors" absolutely

Sections one hundred twenty-three one hundred twenty-four one hundred twenty-five one hundred twenty-six one hundred twenty-seven one hundred twenty-eight one hundred twenty-nine one hundred thirty one hundred thirty-one one hundred thirty-two one hundred thirty-three one hundred thirty-four one hundred thirty-five one hundred thirty-six one hundred thirty-seven one hundred thirty-eight one hundred thirty-nine and one hundred forty of the act approved the fifteenth day of April one thousand eight hundred thirty-five (P. L. 384) entitled "An act relating to inspections" absolutely

Section sixty-six of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 589) entitled "An act relating to lunatics and habitual drunkards" absolutely

Section twenty-two of the act approved the twenty-seventh day of May one thousand eight hundred forty (P. L. 548) entitled "An act to erect the town of South Easton in the county of Northampton into a borough and for other purposes" absolutely

The act approved the twenty-ninth day of March one thousand eight hundred forty-one (P. L. 121) entitled "An act supplementary to the various acts relating to

Tavern Licenses" absolutely

Section forty-four of the act approved the twenty-fifth day of March one thousand eight hundred forty-two (P. L. 192) entitled "An act to appoint Commissioners to Re-survey and mark that portion of the county line which divides the township of Bristol in the county of Philadelphia from the township of Cheltenham in the county of Montgomery and for other purposes" absolutely

Section four of the act approved the twenty-first day of April one thousand eight hundred forty-six (P. L. 431) entitled "An act to authorize the voters of Mifflin county to decide the question of tavern license therein and to prohibit the sale of intoxicating drinks within specified limits in certain counties" absolutely

Sections twenty twenty-one twenty-two twenty-three thirty-one thirty-two and thirty-three of the act approved the tenth day of April one thousand eight hundred forty-nine (P. L. 570) entitled "An act to create a sinking fund and to provide for the gradual and certain extinguishment of the debt of the commonwealth" absolutely

The act approved the sixteenth day of April one thousand eight hundred forty-nine (P. L. 657) entitled "An act to change the mode of granting tavern licenses in the city and county of Philadelphia" absolutely

Sections five six and eight of the act approved the thirtieth day of April one thousand eight hundred fifty (P. L. 634) entitled "An act regulating the hunting of deer in the county of Warren and relative to hawkers and peddlers in the counties of Carbon Butler and Union authorizing the Philadelphia Germantown and Norristown railway to become stockholders in the Chester Valley railroad company relative to the sale of spirituous and vinous liquors in Washington county and to the licensing of inn-keepers in this commonwealth to the estate of John Claar deceased legitimating John Diffenbach of Lancaster county and authorizing the sale of the real estate of Darius Grimes of Fayette county deceased" absolutely

Section eight of the act approved the fourteenth day of April one thousand eight hundred fifty-one (P. L. 569) entitled "A further supplement to the act entitled 'An act authorizing the Governor to incorporate the Bear Mountain Railroad Company' and for other purposes passed July thirteenth one thousand eight hundred and forty-two and relative to roads streets and alleys in the borough of Pottsville in Schuylkill county to hawkers and peddlars in Armstrong and Carbon counties to the Bethany and Dingman's choice turnpike road to the district of West Philadelphia to the bottling of cider and malt liquors licensing billiard rooms and bowling saloons to the district of Moyamensing and to authorize Charles B. Mench to sell certain real estate" absolutely

Sections one two three six seven and eight of the act approved the eight day of May one thousand eight hundred fifty-four (P. L. 663) entitled "An act to protect certain domestic and private Rights and prevent abuses in the Sale and Use of Intoxicating Drinks" absolutely

The act approved the twenty-sixth day of January one thousand eight hundred fifty-five (P. L. 53) entitled "An act to prevent the Sale of Intoxicating Liquors on the First Day of the Week commonly called Sunday" absolutely

Sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five thirty thirty-three and thirty-four of the act approved the thirty-first day of March one thousand eight hundred fifty-six (P. L. 200) entitled "An act to regulate the Sale of Intoxicating Liquors" absolutely

Sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three and twenty-four of the act approved the twentieth day of April one thousand eight hundred fifty-eight (P. L. 365) entitled "A supplement to an act to Regulate the Sale of Intoxicating Liquors approved the thirty-first of March

Anno Domini one thousand eight hundred and fifty-six" absolutely

The act approved the twenty-first day of April one thousand eight hundred fifty-eight (P. L. 393) entitled "A further supplement to an act relative to the inspection of Liquors" absolutely

Section two of the act approved the seventeenth day of March one thousand eight hundred fifty-nine (P. L. 167) entitled "An act relating to Trustees of Farmers' High School of Pennsylvania" absolutely

The act approved the fourteenth day of April one thousand eight hundred fifty-nine (P. L. 653) entitled "An act relating to the granting of Licenses to Hotel Inn or Tavern Keepers" absolutely

The act approved the twenty-ninth day of March one thousand eight hundred sixty (P. L. 346) entitled "An act to prevent Recovery for the Sale of Adulterated Liquors" absolutely

The act approved the fifteenth day of April one thousand eight hundred sixty-three (P. L. 480) entitled "An act relating to the inspection of domestic distilled spirits" absolutely

The act approved the twenty-second day of March one thousand eight hundred sixty-seven (P. L. 40) entitled "A further supplement to an act to regulate the granting of licenses to hotels and eating houses approved March thirty-first one thousand eight hundred and fifty-six" absolutely

The act approved the twenty-ninth day of April one thousand eight hundred sixty-seven (Pamphlet Laws 95) entitled "A supplement to an act 'An act to prevent the sale of intoxicating liquors on the first day of the week commonly called Sunday' approved February twenty-six one thousand eight hundred and fifty-five" absolutely

Sections two and four of the act approved the eighth day of April one thousand eight hundred seventy-three (Pamphlet Laws 566) entitled "An act to provide for the appointment of mercantile appraisers in the city of Philadelphia defining the duties of the same and constituting a board of appeal" absolutely

Sections two three four five six seven eight nine ten eleven and twelve of the act approved the twelfth day of April one thousand eight hundred seventy-five (Pamphlet Laws 40) entitled "An act to repeal an act to permit the voters of this Commonwealth to vote every three years on the question of granting licenses to sell intoxicating liquors and to restrain and regulate the sale of the same" absolutely

Section one of the act approved the twelfth day of April one thousand eight hundred seventy-five (Pamphlet Laws 48) entitled "An act to prevent the sale of intoxicating liquors and for the preservation of order at soldiers' encampments or re-unions" absolutely

The act approved the second day of June one thousand eight hundred eighty-one (Pamphlet Laws 43) entitled "An act to prevent the use of poisonous or deleterious drugs or chemicals or impure or injurious materials or those prejudicial to the public health in the brewing or manufacture of ale beer or other malt liquors or in the fermentation distillation or manufacture of any vinous or spirituous liquors and to provide for the punishment of any persons using the same" absolutely

Section four of the act approved the twenty-eighth day of May one thousand eight hundred eighty-five (Pamphlet Laws 27) entitled "An act supplementary to an act entitled 'An act to protect children from neglect and cruelty and relating to their employment protection and adoption' approved the eleventh day of June one thousand eight hundred and seventy-nine providing for the further protection of minors and regulating the boarding and maintaining of infant children for hire" in so far as it relates to premises for which a hotel restaurant or club license or a retail dispensers license is held

The act approved the twenty-fourth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 194) entitled "An act providing for the licensing of wholesale dealers in intoxicating liquors" absolutely

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws 173) entitled "An act to permit the growers of grapes in this Commonwealth to manufacture wine from grapes of their own raising that are not first-class or marketable and sell such wine to licensed dealers without taking out or paying a license for such manufacture or sale" absolutely

The act approved the ninth day of June one thousand eight hundred ninety-one (Pamphlet Laws 257) entitled "An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof by wholesale" absolutely

The act approved the twentieth day of June one thousand eight hundred ninety-three (Pamphlet Laws 474) entitled "An act authorizing distillers of spirituous or vinous liquors to sell such liquors of their own manufacture in original packages of not less than forty gallons without being required to take out a license as is now required by existing laws" absolutely

Section one of the act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (Pamphlet Laws 93) entitled "An act relating to the prosecutions of licensed dealers and their employes on the charge of furnishing intoxicating liquors to minors and prescribing the penalty therefor" absolutely

The act approved the twenty-first day of June one thousand eight hundred ninety-seven (Pamphlet Laws 176) entitled "An act providing that the manufacturers who shall pay a certain sum annually into the Treasury of the Commonwealth shall sell only malt or brewed liquors of their own manufacture to dealers only who have been licensed by the court" absolutely

The act approved the thirtieth day of July one thousand eight hundred ninety-seven (Pamphlet Laws 464) entitled "An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewer distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" absolutely

Section one of the act approved the eleventh day of May one thousand nine hundred one (Pamphlet Laws 162) entitled "A supplement to an act entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven'" absolutely

The act approved the nineteenth day of June one thousand nine hundred one (Pamphlet Laws 572) entitled "An act authorizing the several courts of quarter sessions of this Commonwealth to grant licenses to sell intoxicating liquors at retail wholesale or by brewers for a longer or shorter period than one year in certain cases but only for the purpose of changing the date from which annual licenses shall thereafter run and take effect" absolutely

The act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws 257) entitled "An act to amend the second section of an act entitled 'An act to protect certain domestic and private rights and prevent abuses in the sale and use of intoxicating drinks' approved the eighth day of May Anno Domini one thousand eight hundred and fifty-four in relation to the penalties and fines therein prescribed and giving the court discretionary power in relation thereto" absolutely

Section one of the act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws 259) entitled "An act providing for the payment of liquor license money to school districts in townships in which the roads shall be made and repaired by taxpayers pursuant to the act of twelfth of June Anno Domini one thousand eight hundred and ninety-three and is supplements" absolutely

The act approved the twenty-third day of April one thousand nine hundred three (Pamphlet Laws 265) en-

titled "A supplement to an act entitled 'An act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof' approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred three (Pamphlet Laws 317) entitled "An act amending section three of an act entitled 'An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders store-keepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors' approved the thirtieth day of July Anno Domini one thousand eight hundred and ninety-seven by providing that in counties having a population of more than five hundred thousand (500,000) and less than one million (1,000,000) the cost of publishing the lost of applicants for liquor licenses shall be paid out of the general funds of the county and not deducted from the fees paid by such applicants for expenses connected therewith" absolutely

The act approved the twenty-ninth day of March one thousand nine hundred seven (Pamphlet Laws 38) entitled "An act to amend section two of an act entitled 'An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license on retail dealers in intoxicating liquors' approved the thirtieth day of July Anno Domini one thousand eight hundred and ninety-seven by changing the time when the treasurers of the respective counties shall pay all license funds to the State Treasurer and to the treasurers of the respective municipalities" absolutely

The act approved the twenty-seventh day of April one thousand nine hundred seven (Pamphlet Laws 122) entitled "An act authorizing licensed wholesale liquor sellers and leasors to purchase vinous spirituous malt or brewed liquors in kegs barrels or otherwise in bulk and to transfer the same into bottles or smaller packages and to sell the same in such bottles or smaller packages in certain quantities and fixing the annual license-fee of such dealers in cities of the first class second class third class and in boroughs and townships" absolutely

The act approved the twenty-ninth day of May one thousand nine hundred seven (Pamphlet Laws 307) entitled "An act regulating the payment of retail liquor license-fees in this Commonwealth" absolutely

The act approved the twenty-second day of April one thousand nine hundred nine (Pamphlet Laws 136) entitled "An act regulating the payment of brewers' wholesale and bottlers license fees in this Commonwealth" absolutely

The act approved the second day of April one thousand nine hundred thirteen (Pamphlet Laws 32) entitled "An act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license" absolutely

The act approved the fourteenth day of May one thousand nine hundred thirteen (Pamphlet Laws 203) entitled "An act to provide and fix fees and compensation to be received by constable in this Commonwealth for visiting places where liquors are sold or kept" absolutely

The act approved the twelfth day of June one thousand nine hundred thirteen (Pamphlet Laws 490) entitled "An act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail

for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof" absolutely

Section one of the act approved the twenty-second day of July one thousand nine hundred thirteen (Pamphlet Laws 914) entitled "An act authorizing any person firm or corporation owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use as a beverage or for medicinal purposes to operate such distillery without a license regulating the taxation of such corporations requiring certain reports to be made to the Auditor General and providing penalties" in so far as it exempts any person firm or corporation owning or operating a distillery from the necessity of obtaining a license under the provisions of this act to operate such distillery

The act approved the seventeenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1020) entitled "An act amending an act entitled 'An act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof' approved the twelfth day of June Anno Domini one thousand nine hundred thirteen prohibiting the offer or gift of premiums or presents as an inducement for the purchase of liquors or for any other purpose" absolutely

The act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1071) entitled "An act amending section one of an act approved the fourteenth day of May one thousand nine hundred entitled "An act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept" absolutely

The act approved the twenty-sixth day of February one thousand nine hundred nineteen (Pamphlet Laws 9) entitled "An act to amend section one of an act approved the thirtieth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws 464) entitled 'An act to provide revenue and regulate the sale of malt brewed vinous and spirituous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distillers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors' absolutely

The act approved the eighth day of May one thousand nine hundred nineteen (Pamphlet Laws 167) entitled "An act providing for the refunding of liquor license fees and additional taxes to wholesale and retail dealers brewers distillers rectifiers compounders bottlers agents and other persons prevented from engaging in business by order or regulation of the President or Secretary of War providing for the return of the proportions thereof paid to municipalities and the Commonwealth and making an appropriation" absolutely

The act approved the twenty-sixth day of June one thousand nine hundred nineteen (Pamphlet Laws 673) entitled "An act permitting wholesale or retail dealers brewers distillers rectifiers compounders bottlers agents or other persons licensed to deal in or sell any vinous spirituous malt or brewed liquors to surrender licenses heretofore granted and issued authorizing county treasurers to refund a proportionate amount of the annual license fee and additional license tax where such licenses have been surrendered or where the licensees have been prevented from selling thereunder by any State or Federal laws or regulation and requiring the State Treasurer and the municipalities to contribute to the amount so refunded and making an appropriation" absolutely

The act approved the twenty-first day of July one thousand nine hundred nineteen (Pamphlet Laws 1069) entitled "An act to provide for the manufacture or distillation and sale of ethyl alcohol for medicinal scientific mechanical commercial and other lawful purposes and the issuance of licenses therefor and providing a penalty for violation of the provisions hereof" absolutely

Section forty-two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" in so far as it relates to liquor or malt or brewed beverages

The act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws 16) entitled "A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws 34) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturation redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" absolutely

The act approved the third day of May one thousand nine hundred thirty-three (Pamphlet Laws 252) entitled "An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" absolutely

The act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 13 (1933-34)) entitled "An act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board" absolutely

The act approved the twenty-ninth day of November one thousand nine hundred thirty-three (Pamphlet Laws 15 (1933-34)) entitled "An act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State

stores and of license fees and imposing penalties" absolutely

The act approved the eighth day of December one thousand nine hundred thirty-three (Pamphlet Laws 57 (1933-34)) entitled "An act to amend the title and certain sections of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws 16) entitled 'A supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws 34) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of Federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturation redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchasers of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' by providing that the act shall be administered by the Pennsylvania Liquor Control Board making the act consistent with the repeal of the Eighteenth Amendment changing definitions and exemptions bringing rectifiers and blenders within the act allowing appeals to the courts providing for the abatement of nuisances and increasing fees" absolutely

The act approved the twentieth day of December one thousand nine hundred thirty-three (Pamphlet Laws 75 (1933-34)) entitled "An act to amend the title and certain sections of the act approved the third day of May one thousand nine hundred thirty-three (Act number 91) entitled 'An act to regulate and restrain the traffic in malt brewed and vinous and fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by limiting the provisions of the act to malt liquors as defined therein and clarifying certain provisions of the act" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1217) entitled "An act to reenact and amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws 252) entitled 'An act to regulate and restrain the traffic in malt brewed and vinous fruit juice beverages as herein defined providing for the licensing of the sale and distribution of such beverages imposing license fee and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Department of Revenue quarter sessions courts district attorneys proper authorities of political subdi-

visions of the state and election officers providing penalties and repealing existing acts' as amended by providing for the issue by the county treasurer of retail dispensers' licenses and by the Pennsylvania Liquor Control Board of distributors' importing distributors' and manufacturers' licenses regulating the business of manufacturers of malt and brewed beverages and providing for the issue of public service licenses and special relating to entertainment and transportation for hire by said board changing fixing and providing for the fixing of permit and license fees and providing for the disposition thereof providing for the abatement of nuisances providing for the revocation and suspension of licenses by the court of quarter sessions and the board further regulating the manufacture sale transportation and traffic in malt and brewed beverages prescribing penalties and repealing inconsistent acts" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1246) entitled "An act to reenact and amend the title and the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (Pamphlet Laws 15 1933-34) entitled 'An act to regulate and restrain the sale importation and use of certain alcoholic beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to coal option to sell such beverages for consumption on the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connections with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of license fees and imposing penalties' by extending the provisions of said act to the manufacture and possession of alcohol alcoholic beverages and malt or brewed beverages permitting licensees to sell malt or brewed beverages for consumption off premises providing for the revocation and suspension of licenses by the board and the court of quarter sessions and conferring additional powers and imposing additional duties on the board including power to fix the form and capacity of packages and containers and the duty to require certain manufacturers and other persons to secure permit and pay permit fees conferring power on agents of the board to arrest on view without warrant and to confiscate property unlawfully used and providing for the destruction and disposition thereof providing for the disposition of license and filing fees providing that fines and penalties collected shall be fore the use of counties legalizing the home manufacture and possession of wine extending the civil service provisions of this act further regulating the manufacture sale and traffic in alcohol alcoholic beverages and malt and brewed beverages prescribing penalties and repealing existing laws" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws 1283) entitled "An act to amend clauses (i) and (l) of section two and section three of the act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws 16) entitled as amended 'An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages

also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' as amended further defining distilleries and wineries and providing for the licensure and rights of manufacturers of wine" absolutely

The act approved the sixteenth day of June thousand nine hundred thirty-seven (Pamphlet Laws 1762) entitled "An act to re-enact and further amend the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (Pamphlet Laws 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of fees and imposing penalties' further regulating the manufacture sale importation use and traffic in liquors alcohol and malt and brewed beverages conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing additional filing fees and increasing fees for certain permits and providing for the disposition thereof further regulating the establishment of State liquor stores and the employment and use of personnel by the board regulating and providing the procedure for the granting transferring revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom providing for the forfeiture of certain property regulating the jurisdiction of courts and local option procedure prohibiting certain interlocking business and providing penalties" absolutely

The act approved the sixteenth day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1811) entitled "An act to re-enact and amend the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws 16) entitled as amended 'An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act' further regulating the manufacture sale use and traffic in alcohol and alcoholic liquids conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing filing fees changing the method of calculating certain license fees providing for the use of the word "license" instead of "permit" regulating and providing the procedure for the granting suspension and revocation of licenses and for compromises in certain cases providing for the disposition of fees compromise penalties and forfeitures regulating the jurisdiction of courts and providing penalties" absolutely

The act approved the sixteenth day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1827)

entitled "An act to re-enact and further amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' defining and regulating licensees application for licenses and sales by licensees and fixing fees for amusement permits regulating the granting suspension revocation and transfer of licenses and the procedure therefor and conferring jurisdiction on certain courts providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer and prescribing the powers and duties of said board providing for compromises where licenses are suspended and for the disposition of application license permit fees forfeitures and penalties and providing penalties" absolutely

The act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2073) entitled "An act to amend section five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (One thousand nine hundred thirty-three one thousand nine hundred thirty-four P. L. 13) entitled 'An act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board' by making further provisions with respect to the fidelity bonds of the members secretary and employes of the board" absolutely

The act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 764) entitled "An act to regulate and restrain the sale purchase exchange pledge and dealing in distillery bonded warehouse certificate for whiskey or any other potable distilled spirits except ethyl alcohol conferring powers and imposing duties upon the Pennsylvania Liquor Control Board authorizing the granting of permits and registration of agents to deal in such certificates and the suspension and revocation of such permits and registration of agents providing for hearings and appeals to the court of common pleas forbidding transaction in such certificates in this State except as herein provided prescribing and imposing penalties and providing for the disposition of filing registration and permit fees" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 802) entitled "An act to further amend clause (a) of section four hundred and seven of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State

stores and of fees and imposing penalties' changing the fees for hotel and restaurant liquor licenses in certain cases" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 804) entitled "An act to amend clause (e) of section six hundred and nine of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' as reenacted and amended permitting hotel restaurant and club licensees to own land but not the buildings thereon where such land is leased and the building owned by a holder of a retail dispenser's license under the beverage license law" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 806) entitled "An act limiting the number of licenses for the retail sale of liquor malt or brewed beverages or malt and brewed beverages to be issued by the Pennsylvania Liquor Control Board defining hotels and prescribing the accommodations required of hotels in certain municipalities" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 480) entitled "An act to further amend section two of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' by permitting clubs to waive or reduce or pay dues payable by members in military service" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 483) entitled "An act to further amend section two of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State

except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties by permitting clubs to waive or reduce or pay dues payable by members in military service" absolutely

The act approved the sixteenth day of April one thousand nine hundred forty-three (P. L. 60) entitled "An act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 one thousand nine hundred thirty-three and thirty-four) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and districts attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 332) entitled "An act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importance traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' exempting certain coin operated motion picture machines from provisions of the act requiring special permits" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 374) entitled "An act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and township by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election

officers providing penalties and repealing existing acts' by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 401) entitled "An act to amend section four hundred nine of the act approved the twenty-first day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by providing for the surrendering by persons in military services of licenses granted to them the renewal thereof by the board during licensee's continuance in such service and the renewal thereof thereafter" absolutely

The act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 403) entitled "An act to further amend sections two three hundred five section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and districts attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by defining "Official Seal" authorizing the designation of wholesale or retail stores authorizing the Pennsylvania Liquor Control Board to adopt and enforce rules and regulations to insure the equitable wholesale and retail sale and distribution of liquor and alcohol through the Pennsylvania liquor stores during times of shortage and making it unlawful to violate any such rules and regulations" absolutely

The act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 688) entitled "An act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages

not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board" absolutely

The act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 694) entitled "An act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended 'An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts' conferring jurisdiction on the county courts of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board" absolutely

Section 902 General Repeal Clause All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, this is House Bill 1170, which was before the House on second reading last Wednesday and which underwent considerable discussion at that time as to the changes which had been made in the law, due to the fact that this was generally a codification of the law.

At that time I called to the attention of the Members of the House a number of changes appearing in the statement signed by the Assistant Director of the Legislative Reference Bureau, seven in all. Since that time the amendment which was approved by this House has changed one of the amendments, amendment number five in this certification, which says that the law is changed by taking clubs out of the quota provision. You will recall, those of you who were here on last Wednesday, that the amendment was to take the clubs out of the quota provision for a period of eighteen months, to enable the service clubs or veterans' organizations to obtain licenses in about one-half of the counties of the State where they now cannot secure them because the quotas are full and the courts have held that under the law clubs are within the quota law.

At that time I said there was an intolerable situation existing in Pennsylvania, and I repeat that there are about fifty percent of the counties in which the Courts have held that clubs are not within the quota law, and there are fifty percent of the counties which have either

said that the clubs are within the quota law or have neither said one way or the other. Therefore, we feel that this should be straightened out at this time to give us eighteen months of experience until the next Session of Legislature and to enable these service organizations to secure licenses under our laws.

Therefore, Mr. Speaker, I trust that the Members of this House will vote in favor of this measure.

MOTION TO RECOMMIT

Mr. MILLER. Mr. Speaker, House Bill 1170 consists of 226 pages which I believe the Members of this House have not had an opportunity of reading.

I, therefore, move that House Bill 1170 be recommitted to the Committee on Liquor Control for further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. TURNER. I rise, Mr. Speaker, to oppose this motion. This bill was introduced by Mr. O'Neill and myself—I have forgotten the date for the moment—on April 1, 1947 and that was no April Fool's day. Prior to that date this bill had been under discussion, or rather the codification was under discussion. Since the first of April it has been referred to the Liquor Control Committee and by the Liquor Control Committee to a subcommittee. That subcommittee, I think, was one of the best working subcommittees I have ever seen in this House. It gathered together all the information submitted by all the people interested. This bill was scanned by the dry forces, it was scanned by the licensee, it was scanned by the drug organizations, it was scanned by the distillers, it was scanned by the brewers, and they submitted to the subcommittee all the recommendations or suggestions that they might have. As a result of that information the subcommittee made certain recommendations to the Committee on Liquor Control. The Committee on Liquor Control considered those recommendations and reported this bill out with amendments. This bill was reported out on May 1st and therefore, since this bill was before the House that length of time, it seems to me that it is now a poor excuse to say that the Members of the House haven't had time to study the measure. It has been studied by every one interested. I have a letter in my possession from the dries who say that it was an excellent bill up to the time the amendment was put in. I hold in my possession a letter dated April 15, 1947, signed by a number of different veterans' organizations, all of whom say that they are wholeheartedly in back of House Bill 1170.

Mr. Speaker, after last Wednesday representatives of different interests came to me and told me that they thought it was a fine bill and should be passed. Therefore, Mr. Speaker, the motion to send this bill back to committee for further study is an absurdity and if it is for the purpose of burying the bill, then I say to you that we ought to stand up here and be counted and decide this question and not duck the issue.

Mr. KENT. Mr. Speaker, last week something was said about this bill and the importance of it throughout the State in order to clarify the law on the club situation in regard to quota. I do not want to take the time of the

House to rehash the item. However, I do think and I thought last week and was confident that the House was going to face this problem and either vote one way or the other so that that law might be clarified once and for all. After the vote on Mr. Turner's amendment was taken I was confident that the House was facing the issue and was facing the problem. I still have that confidence; I believe the House will vote this motion down, face the problem and decide it here and now. It is a matter for this Legislature to decide, certainly for no one else to decide, and to recommit this bill for the purpose of killing it so as not to hear about it again will leave the inequality and the confusion that exists in this Commonwealth of Pennsylvania on this very question of whether or not the clubs are within or without the quota. The situation will still remain the same and we as members of the Legislature, I feel, have not done one of our many duties here in the Legislature. Therefore I submit and ask the members of this House to defeat this motion.

Mr. STUART. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner?

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall Mr. Speaker.

Mr. STUART. Will the gentleman from Delaware please tell us what the status of the clubs would be as regards the quota at the end of the eighteen month period?

Mr. TURNER. Mr. Speaker, I think the status of the clubs would be exactly the same as the law is today.

Mr. STUART. Mr. Speaker, that being the case, we are not cleaning up the confusion that exists. We are creating a situation whereby club licenses might be issued in almost an unlimited way, and I submit Mr. Speaker, that by this bill we will not relieve the situation which presently exists all over the State.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state it.

Mr. TURNER. Mr. Speaker, on a motion to recommit is it permissible to debate the merits of the bill?

The SPEAKER. The merits of the bill may not be debated on a motion to recommit.

Mr. TURNER. Mr. Speaker, I did not want to raise the question on my good friend, the gentleman from Allegheny, Mr. Stuart, but I am not going to violate the rules by asking the privilege of answering him. However, I think that the answer is perfectly clear and that the House will understand.

Mr. READINGER. Mr. Speaker, if my recollection is correct, the gentleman who made this motion to recommit, Mr. Miller, made the statement on the floor of the House last week that this limitation law which we are now discussing was passed in 1939, and nothing has been done about it since. In opposing his motion to recommit I would like to point out to him as well as to the other Members of the House that we finally have a chance to do something about it. The gentleman may not remember but there was a bill introduced every session since 1939 to correct this situation.

Mr. Speaker, I do not want to reiterate what has already been said but certainly to recommit this bill now is simply to dodge the issue once again. It will leave the law in the chaotic condition in which it is today, and I don't see why we should not have the courage to stand up and be counted for or against this bill on the motion to recommit, and I ask the Members of the House, particularly the Democratic Members, to vote down this motion.

Mr. TURNER. Mr. Speaker, I merely arose to ask the Speaker if he would not again state the question to the House.

The SPEAKER. The question recurs on the motion to recommit. Those voting aye vote to recommit House Bill 1170, Printer's No. 629, to the Committee on Liquor Control. Those voting no vote to retain the bill on the calendar.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—116.

Aaronson,	Ewing,	McDonald,	Sax,
Andrews,	Frost,	McKinney,	Scanlon,
Barrett,	Gallagher,	Mikula,	Schuster,
Baumunk,	Goff,	Mintess,	Scott,
Bender,	Gorman,	Mohr,	Serrill,
Bentzel,	Greer,	Mooney,	Simons,
Bloom,	Haller,	Morrison,	Sproul,
Boies,	Haudenshield,	Myers,	Stank,
Boorse,	Horan,	Najaka,	Stimmel,
Brice,	Jennings,	Needham,	Stonier,
Brown,	Johnson,	O'Connor,	Swope,
Brunner,	Johnston,	O'Dare,	Tahl,
Bucchin,	Jump,	O'Neill,	Thomassy,
Capano,	Kean,	Orban,	Thompson,
Chervenak,	Kelley,	Patten,	Toomey,
Chudoff,	Kemp,	Pichney,	Turner,
Cochran,	Kent,	Polaski,	Upshur,
Cole,	Kirley,	Powers,	Vaughan,
Cook,	Kohl,	Price,	Verona,
Cooper,	Kratz,	Propert,	Waldron,
Cordier,	Kurtz,	Ragot,	Walton,
Crowley,	Laughner,	Readinger,	Waterhouse,
Dalrymple,	Layer,	Reese, R. E.,	Watson,
De Long,	Livingstone,	Richter,	Weidner,
Demech,	Loftus,	Robbins,	West,
Depuy,	Lovett,	Rose,	Yester,
Dye,	Lyons,	Rowen,	Yetzer,
Efenberg,	Mazza,	Royer,	Young,
Evans,	McCormack,	Sarraf,	Lichtenwalter,

Speaker

NAYS—75.

Bonawitz,	Graybill,	McCullough,	Smith, C. M.,
Bower,	Griffiths,	McMillen,	Snider,
Brelsch,	Guthrie,	Miller,	Sollenberg,
Clevenger,	Gyger,	Mills,	Stockham,
Dague,	Hall,	Moore, C. E.,	Stuart,
Davison,	Helm,	Moore, H. A.,	Tittle,
Dennison,	Henry,	Neff,	Tompkins,
Dix,	Hewitt,	Nelson,	Wachhaus,
Elder,	Hocker,	O'Donnell,	Wagner,
Erb,	Hoffman,	Petrosky,	Wallin,
Feola,	Hoopes,	Pickens,	Watkins,
Fish,	Imbt,	Reagan,	Weiss,
Fiss,	Jones,	Reese, D. P.,	Wescott,
Flack,	Kline,	Reilly, J. M.,	Wheeler,
Fleming,	Lee,	Reilly, W. J.,	Wolf,
Foor,	Leisey,	Riley,	Wood,
Getchey,	Livingston,	Robertson,	Worley,
Gibson,	Madden,	Shoemaker,	Yeakel,
Goodling,	Madigan,	Smith, C. C.,	

NOT VOTING—14.

Bane,	Costa,	Mihm,	Root,
Beech,	Greenwood,	Murray,	Sorg,
Cadwalader,	Krise,	Naumann,	Trout,
Cassidy,	McCosker,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 106.

An Act requiring that all meetings of legislative bodies of political subdivisions and of the boards, commissions and authorities created by or operating as agencies of political subdivisions at which ordinances, resolutions, rules, regulations and other actions are adopted to be open to the public; permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances, resolutions, rules, and regulations at such sessions.

HOUSE BILL No. 215.

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employee employees of the Pennsylvania Turnpike Commission.

HOUSE BILL No. 670.

An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligations of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in the sinking fund

HOUSE BILL No. 832.

A Supplement to the act approved the twenty-fifth day of April one thousand nine hundred forty-five (P. L. 299) entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles for the accumulation

of county tax liens and for the enumeration of the parcels of real estate to be assessed for county city borough township school and institution district taxation providing for the incurring of indebtedness for the installation thereof and imposing duties upon the county controller and the deed registrar in each of such counties" providing for the use in counties of the second class of the lot and block descriptive number in the making of assessments in the preparation of tax bills and tax receipts in the filing of liens for delinquent taxes and in the sale of real estate for taxes and imposing duties upon certain county officials in second class counties and upon treasurers tax collectors and solicitors of cities boroughs towns townships and school districts in said counties

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL 554

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 16, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill 554, Printer's No. 206, entitled "An Act providing that in cities of the first class in all cases where taxes are due and unpaid upon a single tract of land and it is desired to divide such tract into separate parcels the Board of Revision of Taxes may apportion such taxes ratably between or among the parcels so divided and providing that upon payment of the taxes and proper costs on any such parcel it shall be released from the lien."

JAMES H. DUFF.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL No. 865 FROM THE GOVERNOR

Mr. HOFFMAN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 19, 1947.

Resolved (in the Senate concurs), that House Bill No. 865, Printer's No. 426, entitled "An act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county board of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties" be recalled from the Governor for further amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SPROUL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Commonwealth for the encouragement and development of aeronautics

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (Pamphlet Laws 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. EWING. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" including the maximum size of the State Police Force

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred eleven

(P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring periodic revisions of standards of the State Council of Education with reference to school buildings; providing for advisory committees in connection therewith; and making the type of heating and ventilating systems optional with boards of school directors.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 795, entitled:

An act to repeal the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 828, entitled:

An act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and com-

missions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section seven hundred nineteen and section one thousand seven hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing remedies for violations thereof and imposing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL RECOMMENDED

Mr. SPROUL. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain department, boards and commissions shall be determined," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-seven, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-seven.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 78, Printer's No. 338

Senate Bill No. 241, Printer's No. 76

Senate Bill No. 246, Printer's No. 83

Senate Bill No. 314, Printer's No. 93

Senate Bill No. 316, Printer's No. 94

Senate Bill No. 334, Printer's No. 250 and

Senate Bill No. 338, Printer's No. 98

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185

was passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1040, as follows:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the

Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the Ports of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Delaware River Joint Commission created under the authority of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the power and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" and a similar act of the State of New Jersey is hereby directed to exercise its function in effectuating the purpose of Article I paragraph (g) of the compact authorized by the aforesaid act which reads as follows "(g) The promotion of increased commerce on the Delaware River both freight and passenger and for this purpose the publication of such literature and adoption of such means as may be deemed appropriate" and in addition thereto to formulate a specific action program for the following purposes

(a) The promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce

(b) The making of recommendations to the proper authorities for the improvement of terminal lighterage wharfage warehouse and other facilities necessary for the promotion of commerce on the Delaware River

(c) The making of a report on any other factors which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion of the development of ports along the Delaware River and the use by commercial vessels of their facilities

(d) The investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea and making of such studies surveys and estimates as may be necessary to determine the feasibility and cost of any such additional means of communication

(e) The conducting of an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay

Section 2 The said Delaware River Joint Commission shall proceed without delay to study these problems in their entirety in cooperation with the Interstate Commission on the Delaware river basin also an agency of the Commonwealth of Pennsylvania and the state of New Jersey and of the states of New York and Delaware and shall make a report to the General Assembly not later than the first day of February one thousand nine hundred forty-nine

Section 3 The provision of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McDonald,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McKinney,	Scott,
Baumunk,	Goff,	McMillen,	Serrill,
Beech,	Goodling,	Milum,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Stank,
Brelsch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenschild,	Murray,	Stonier,
Brunner,	Helm,	Najaka,	Stuart,
Buchin,	Henry,	Myers,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	West,
Dye,	Laughner,	Reese, R. E.,	Wheeler,
Evans,	Lee,	Reilly, J. M.,	Wescott,
Efenberg,	Lelsey,	Reilly, W. J.,	Wolf,
Elder,	Livingston,	Richter,	Wood,
Erb,	Livingstone,	Riley,	Worley,
Ewing,	Loftus,	Robbins,	Yeakel,
Feola,	Lovett,	Robertson,	Yester,
Fish,	Lyons,	Root,	Yetzer,
Fiss,	Madden,	Rose,	Young,
Flack,	Madigan,	Rowen,	Lichtenwalter,
Fleming,	Mazza,	Royer,	Speaker.
For,	McCormack,	Sorraf,	

NAYS—2.

Layer,

Sproul,

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 497, as follows:

An Act to ascertain and appoint the fees to be received by the clerks of the courts of oyer and terminer and

quarter sessions of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the clerks of the Courts of oyer and terminer and quarter sessions of this Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes shall be as follows

Affidavits 50 cents
Appeals from alderman and justice of the peace including entering and all services pertaining thereto \$4.50
Appointment of Special tax collector or auditor including filing petition order of court and filing and recording information \$6.00

Attachments including issuance delivery of motion and return \$1.00

Bail-piece \$1.00

Bail-bond \$2.00

Beach warrants or any warrant of seizure and proceedings thereon \$2.00

Calling recognizance and entry of forfeiture \$1.00

Certificate to Secretary of Revenue of conviction of laws regulating use and operation of motor vehicles to be taxed as part of the costs of each case \$1.00

Certificates to pay for jurors \$1.00

Certificate for payment of road jurors \$1.00

Certificate for sheriff to draw petit or grand jurors or special venire \$1.00

Certificate when judge acts as magistrate affidavit warrant and service \$3.00

Certificate for ignored bill \$1.00

Certificate for reconsideration or modification of sentence \$1.00

Certificate to commissioners of tax collector's appointment \$1.00

Certificate Department of Highways of establishment of new township or borough \$3.50

Certified copy of rule or order of the court \$1.50

Certified copy of record bill of indictment \$2.00

Certified copy of record docket entries \$2.00

Commission on lunacy swearing commission filing and recording \$3.50

Commitments to County Prison \$1.00

Commitments to Penitentiary work-house or reformatory \$2.50

Constable's bond filing and recording \$1.00

Annual report of criminal statistics to be paid by the County \$10.00

Detective license filing application for \$25.00

Elections filing and recording returns of borough and township elections each district to be paid by County \$5.00

Entering submission and judgment 75 cents

Entering proceedings of Supreme or Superior Court \$5.00

Entering of nolle prosequi \$4.00

Entering information on petition for parole including order of the Court \$3.00

Estreating forfeited recognizance into County Commissioner's or Prothonotary's office \$3.00

Exemplification of the record per page \$2.50 first page \$1.00 for each additional page

Filing and entering reasons for new trial or motion in arrest of judgment 50 cents

Filing and entering bail bond or recognizance from magistrate or justice of the peace \$1.00

Filing indexing and recording information in quarter sessions docket including non-support and surety of the peace cases \$3.00

Filing and recording information or petition in juvenile docket \$3.00

Filing any paper not relating to any suit pending or not herein provided for 50 cents

Filing and recording each district in municipal election including special election or district \$5.00

Filing petition for parole \$3.50

Filing and recording petition for appointment of election officer to be paid by County \$3.00

Filing and recording order of court for appointment of election officer including certified copy of appointment to be paid by County \$3.00

Ignoramus where bill is returned \$4.50

Issuing notice to defaulting jurors 25 cents

Jury Trial \$5.50

Motion and rule other than elsewhere provided for 50 cents

Order to view open or vacate road under seal \$3.00

Oyer and Terminer all services performed in one prosecution \$15.00

Petition for view or review of road or bridge and order thereon \$3.00

Pleas of guilty \$4.00

Process on indictment docket entry and return \$1.00

Quashing of information or indictment \$4.00

Recognizance calling and entering forfeiture 50 cents

Recognizance forfeited respited or discharged and motion therefor 50 cents

Recognizance taking each \$1.00

Recognizance in court each person \$1.00

Receiving and distributing money paid into court 1%

Recording return of viewers and confirmation per page \$2.50

Recording bill and verdict relating to one prosecution \$1.00

Recording bill where bill is returned ignored \$1.50

Recording proceedings in civil or miscellaneous docket per page single space \$4.00

Report of Judicial criminal statistics to Dept of Commerce U. S. A. \$10.00

Retaxing parties bill of costs and making report 50 cents

Seach of records where no other service is performed to which any fee is attached 50 cents

Services for each clerk in court per diem or part of day \$6.00

Subpoena and seal 50 cents

Subpoena each name after first 25 cents

Supreme Court or Superior Court recording and issuing appeal 50 cents

Swearing grand jury per juror 50 cents

Swearing petit jury including witnesses relating to one prosecution and arraignment of defendant or defendants in one prosecution \$2.00

Tax Collector's bond filing and recording \$1.00

Taxing a bill of costs other than clerk of the sessions 50 cents

Trial without jury \$4.50

Venire for grand jury or petit jury or special jury \$1.00

The fee for services not herein specifically provided for shall be the same as for similar services

Section 2 The act approved the eleventh day of May one thousand nine hundred twenty-five (P. L. 570) entitled "An act regulating and providing fees of the several clerks of quarter sessions of the several counties of this Commonwealth oother than in counties of the first and second classes" be and the same is hereby repealed

All other acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,
Beech,

Frost,
Gallagher,
Getchey,
Gibson,
Goff,
Goodling,

McCormack,
McCosker,
McCullough,
McDonald,
McKinney,
McMillen,

Sarraf,
Sax,
Scanlon,
Schuster,
Scott,
Serrill,

Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Botes,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsach,	Hall,	Moore, J. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Iratt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Helm,	Pickens,	Wagner,
Dairymple,	Kemp,	Polaski,	Waldron,
Davison,	Kent,	Powers,	Wallin,
De Long,	Kirley,	Price,	Walton,
Demech,	Kline,	Proper,	Waterhouse,
Dennison,	Kohl,	Ragot,	Watkins,
Depuy,	Kratz,	Readinger,	Watson,
Dix,	Krise,	Reagan,	Weidner,
Dye,	Kurtz,	Reese, D. P.,	Weiss,
Efenberg,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Relly, J. M.,	West,
Erb,	Lee,	Relly, W. J.,	Wheeler,
Evans,	Lelsey,	Richter,	Wolf,
Ewing,	Livingston,	Riley,	Wood,
Feola,	Livingstone,	Robbins,	Worley,
Fish,	Loftus,	Robertson,	Yeakel,
Fiss,	Lovett,	Root,	Yester,
Flack,	Lyons,	Rose,	Yetzer,
Fleming,	Madden,	Rowen,	Young,
Foor,	Madigan,	Royer,	Lichtenwalter,
	Mazza,		Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 499, as follows:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes to provide the time of paying the same and to repeal all acts inconsistent herewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties of the third fourth fifth sixth seventh and eighth classes shall be as follows

Docketing every complaint or agreement for an amicable action in assumpsit or trespass where no writ issues and entering return of service where service made not more than three names \$2.50 and for each additional name 50 cents reinstatement of complaint \$1.00

Issuing every writ of summons in assumpsit and trespass docketing same and entering return of service not more than three names \$2.50 and for each additional name 50

cents Docketing complaint where action commenced by writ \$1.00 reissuance of writ \$1.00

Docketing every complaint or agreement for an amicable action in ejectment or action to quiet title where no writ issues entering return of service where service made indexing ejectment docket not more than three names \$4.50 and for each additional name 50 cents reinstatement of complaint \$1.00

Issuing every writ of summons in ejectment docketing same entering return of service and indexing in ejectment docket not more than three names or more than one description \$4.50 and for each additional name or description 50 cents Docketing complaint where action commenced by writ \$1.00 reissuance of writ \$1.00

Docketing every complaint or agreement for an amicable action in mandamus or quo warranto and entering return of service where service made not more than three names \$4.50 and for each additional name 50 cents reinstatement of complaint \$1.00

Issuing writ of replevin with or without bond docketing same and entering return of service or docketing complaint where action without bond commenced by complaint and entering return of service not more than three names or more than one description \$3.50 for each additional name or description 50 cents filing bond \$1.00 filing counter bond \$1.00 reissuance of writ or reinstatement of complaint \$1.00

Issuing any other writ of summons or capias docketing same and entering return of service not more than three names without complaint \$2.75 with complaint \$3.00 and for each additional name 25 cents

Issuing every writ of scire facias sur mortgage or mechanics lien not more than three names or more than one description \$3.50 and for each additional name or description 50 cents

Issuing and docketing every writ of foreign attachment and entering return of service not more than three names \$3.50 and for each additional name 50 cents

Entering any other amicable action filing papers and making docket entries not more than three names \$3.00 and for each additional name 50 cents

Issuing every writ of certiorari docketing same not more than three names \$3.50 and for each additional name 50 cents

Issuing and docketing attachment execution or mandamus execution or alias attachment execution or alias mandamus execution not more than three names \$3.00 and for each additional name 50 cents

Petition or complaint in divorce docketing and filing papers issuance of subpoena and entering return of service \$6.00 alias subpoena \$1.00 order of publication \$1.00 application for maintenance or alimony \$1.00 filing and docketing rule for and final decree \$1.00 entering decree in minute book and in index docket \$1.00 certificate of divorce under seal \$3.00 receiving disbursing and accounting for deposit in divorce \$1.00

Issuing writ of scire facia or alias scire facias on lien claim judgment to revive judgment sur bail in error sur recognizance sur certificate to the orphans' court to executors and administrators of deceased party to garnishee in foreign attachment or on bill discovery \$3.00

Filing and docketing any bill in equity including bills to perpetuate testimony rules to appear and answer and order of court thereon not more than three names \$4.50 and for each additional name 50 cents

Issuing injunction writ \$2.00

Filing and docketing appearance or answer or preliminary objection or other pleading (not a complaint) or petition in an action at law or equity (excluding divorce) each 50 cents

Issuing venire each case upon the jury trial list to be paid by the county \$1.00

Suggesting death or a party diminution record or amendment record 50 cents

Framing an issue in any action \$2.00

Entering motions 50 cents

Filing and docketing all orders of court matters originating with the court to be paid by the county \$3.50

Filing praesipe for jury trial list 50 cents

Placing case upon the argument list 50 cents

All services during the trial of a cause including swearing-in of jury and witnesses per day or fraction thereof \$4.00

All services per day or fraction thereof in court to be paid by the county per clerk \$10.00

Administering and filing oaths of all county employes including deputies and clerks to be paid by the county per oath \$1.00

Filing and entering agreement to referee to referee including entering judgment on more than three names \$3.00 for each additional name 50 cents

Entering rule of reference appointment of arbitrators and service incident thereto \$3.50

Filing and entering report of arbitrators including judgment docket entry not more than three names \$2.00 for each additional name 50 cents

Filing and docketing appeal from award of arbitrators \$2.00

Entering discontinuance of suit \$2.00

Entering judgment on bond and warrant of attorney upon confession by defendant for want of an appearance plea or want of an answer or affidavit of defense or sufficient answer or affidavit of defense on verdict demurrer including judgment index entry not more than three names \$2.00 for each additional name 50 cents

For each affidavit to a Sheriff's Return 50 cents

Entering satisfaction of judgment 50 cents

Entry of assignment or release of lien or judgment each property \$1.00

For each property description additional not otherwise provided for 50 cents

Each attestation affirmation acknowledgment or affidavit not otherwise provided for 50 cents

Filing and entering appeal from report of auditors \$3.00

Filing and entering appointments made by the court to be paid by the county \$5.00 certificate of appointment to be paid by the county 50 cents

Filing bonds and oaths of Justice of the Peace to be paid by the county \$1.00

Entry of bail-piece \$1.50

Filing corporate charter petition for change of corporate name or alteration or amendment of charter for merger copartnership or dissolution of partnership \$5.00

Certifying copy of any paper first page \$1.00 each additional page 50 cents

Entering docketing and making return of certiorari to Supreme or Superior Court filing bond and filing and docketing remittitur therefrom \$5.00

Commission to take testimony entering return and notifying each party of return of commission \$2.50

Writ of habeas corpus and all proceedings \$5.00 to be paid by the county where proceeding is for release of prisoner

Docketing decree nisi adjudications decisions and final orders and decrees (except in divorce) \$2.00 if accompanied by opinion of court \$3.00

Docketing other orders of court (unless otherwise specified herein) in cases pending \$2.00 If accompanied by court opinion \$2.00

Drawing and delivering attested certificates of appointment in cases commenced or pending (except divorce) each \$1.00 per page in matter originating with the court to be paid by the county each \$1.00 per page

Administering oaths to court appointees to be paid by county each 50 cents

Certifying payroll of tipstaves to be paid by the county each certificate 50 cents

Entering indexing and docketing judgments against tax collectors to be paid by the county each \$2.00

Entering and docketing exemplification of record not more than three names \$2.50 and for each additional name 50 cents

Entering and filing mechanic's lien one description and

not more than three names \$3.00 and for each additional description or name 50 cents

Entering and filing building agreement one description not more than three names \$3.00 and for each additional description or name 50 cents

Drawing special jury striking same and copies to parties \$1.00

Certificate for pay for jurors whether serving or not to be paid by the county 50 cents

Rule for interrogatories and entering return of service each garnishee \$1.00

Reporting election of Justices of the Peace to the Secretary of the Commonwealth to be paid by the county each \$1.00

Filing and docketing petition for the appointment of a guardian or commission de lunatico and for inquisition in re habitual drunkard for the appointment of a committee in insolvency for sale of unclaimed goods or other petitions in connection with any proceedings including order of court thereon and filing and docketing all petitions not otherwise herein specified \$3.50

Issuing commission in lunacy and entering return \$1.00

Writ to sheriff in lunacy \$1.00

Entering confirmation of inquisition and appointment of committee in lunacy \$1.00

All services on sale of lunatic's habitual drunkard's estate including filing account of committee \$2.50

Filing each subsequent account \$1.00

Filing and docketing other documents in said proceedings each 50 cents

Entry of motion and order of court for admission of attorney-at-law and certificate thereof to be paid by the county \$5.00

Issuing attachment for contempt and motion therefor to be paid by the county each \$2.00

Certificate of notary public 50 cents

Administering oath other than on the trial of a case 50 cents

Posting and filing disbarments of attorneys of all county and state courts to be paid by the county \$1.00

Filing power of attorney to satisfy judgment 50 cents

Issuing every writ alias or pluries writ of fieri facias \$1.50

Issuing every writ alias or pluries writ of venditioni exponas levari facias capias ad satisfaciendum one description \$1.50 and for each additional description 50 cents

Preparing and posting civil trial list and argument list to be paid by the county each \$5.00

Entering revival of judgment by agreement \$2.50

Entering testatum fi fa ca sa or vend ex \$1.50

Issuing testatum fi fa ca sa or vend ex \$1.50

Filing and docketing petition or proceeding for a sheriff's or other inter-pleader including orders of court thereon \$3.50

Entering transcript of judgment or appeal from justice of the peace or magistrate including docket entries \$2.00

Filing visitation reports to be paid by the county each \$3.00

Entering satisfaction upon judgment and locality indexes each entry 50 cents

Entering appointments of guardian ad litem \$1.00

Filing and docketing petition for the appointment of viewers filing report and confirmation \$5.00

Proclamation \$1.50

Filing and docketing mental health petitions to be paid by the county \$5.00

Registration of student-at-law physician veterinarian or dentist \$1.00

Taxing bill of costs 50 cents

Filing exceptions and rule to re-tax bill of costs and filing report thereon \$1.00

Re-taxing bill of costs each hour \$1.50

Taking testimony thereon per one hundred words 50 cents

Taking a recognizance 50 cents

Filing and docketing petition and report of Trustee's

Sale to be paid by the county \$10.00

Entering a rule to take depositions \$1.00
 Issuing a subpoena under seal 50 cents
 Filing and docketing petition for sale of real estate by county commissioners to be paid by the county \$7.50
 Making search for liens in judgment docket index for five years last past \$1.00
 Making search in any other docket for five years last past 50 cents
 Each reference found or each reference cited 25 cents
 Acknowledgment of sheriff's or treasurer's deed including all docket entries incident thereto
 Filing and docketing suggestions sur municipal lien \$1.00
 Filing and docketing petition for registration of an elector to be paid by the county \$5.00
 Receiving and distributing money paid into court for each dollars under five hundred dollars 2 cents and for each dollar exceeding five hundred dollars 1 cent
 Recording any document required by law to be recorded per one hundred words 50 cents
 Drawing filing and docketing bond and justification thereon including seal and oath \$2.00
 Filing petition for appointment of overseers and certificate to be paid by the county each \$5.00
 Filing and docketing account or report of assignee auditors trustees committee sequestrator master or examiner \$3.00
 Transcribing report per one hundred words 50 cents
 Filing docketing and all proceedings in assignment for the benefit of credits up to and including bond and justification of assignee and surety \$5.00
 Filing and docketing appeal from award of jury of view \$2.00
 Issuing and docketing order of sale in partion \$2.50
 Certifying judgments to county commissioners for personal property tax purposes to be paid by the county 50 cents each
 Indexing suit against a decedent's estate 50 cents
 Filing and indexing sheriff's certificate of attachment upon real estate \$1.00
 Certificate to exemplification of record under act of Congress \$1.00
 Certifying satisfactions to county commissioner's office for personal property tax purposes to be paid by the county 50 cents each
 Entering transcript from the orphans' court of amount due by executors or guardians each entry \$3.00
 Certifying assignments of judgments to county commissioner's office for personal property tax purposes to be paid by the county 50 cents each
 Entry of precept from the orphans' court \$3.00
 Each entry upon locality index 50 cents
 Administering and filing oaths to members of Election Computation Boards to be paid by the county each 50 cents
 Administering and filing oaths to Jury Commissioners 50 cents to be paid by county
 Filing controllers' report to be paid by the county \$10.00
 Filing War Veterans' Peddler's License to be paid by the county, \$5.00
 Serving and returning decree nisi \$3.00
 Filing any paper not above specified 50 cents
 The fee for services not herein specially provided for shall be the same as for similar services Provided That the fees hereinbefore enumerated shall be exclusive of any state tax now levied or that may hereafter be levied
 Section 2 The prothonotary shall not be required to issue any writ docket any order of court or enter any judgment thereon or perform any service whatsoever until the requisite fee is paid
 Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mohr,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Botes,	Greer,	Mills,	Smith, C. M.,
Bonowitz,	Griffiths,	Mintess,	Snider,
Borsee,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buechin,	Henry,	Myers,	Stonier,
Buchwalder,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swone,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hooner,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Probert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese D. P.,	Waiss,
Efenberg,	Layer,	Reese R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Faria,	Loftus,	Robbins,	Worlev,
Fish,	Lovett,	Robertson,	Yeakel,
Fitz,	Lyons,	Rout,	Yester,
Fleck,	Madden,	Rose,	Young,
Fleming,	Mason,	Rosen,	
Foor,	Mazza,	Rover,	Lichter, Walter Speaker

NAYS—0

NOT VOTING—1

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 601, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and adsectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

On the question,

Will the House agree to the bill on third reading?

Mr. COOPER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, next to last line on page, by inserting after the word "deeds" the following: "in certain counties"

Amend sec. 1 (Sec. 1), page 3, line 2, by striking out the word "He" and inserting in lieu thereof "Except in counties of the first class, he"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 706, as follows:

An Act to amend subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" further regulating dust hazards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (e) of section two of the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 654) entitled "An act to provide for the safety and to protect the health and morals of persons while persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties" is hereby amended to read as follows

Section 2 General Safety and Health Requirements

(e) All toxic and noxious dusts fumes vapors gases fibers fogs mists or other atomospheric impurities created in connection with any manufacturing proces emitted into or disseminated throughout areas where persons are employed in such quantities as in the opinion of the department would injure the health of employees or create other dangerous conditions shall be removed at the point of rigin or where this is impractical personal protective devices shall be provided and worn by persons subjectved to such hazards No rule or regulation of the department adopted to put into force the provisions of this subsection in any industry where a dust hazard exists shall be limited by or depend upon the amount of time the machinery is in operation All rules and regulations of the department now in force are hereby revoked in so far as inconsistent with this amendment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.
Boles,	Graer,	Mills,	Smith, C. M.
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelschi,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Murray,	Stimmel,
Brunner,	Helm,	Morrison,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrofsky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davidson,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foot,	Mazza,	Royer,	Lichtenwalter,

Speaker.

NAYS—0

NOT VOTING—1

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 800, Printer's No. 553 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State Highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing or deleting certain routes and adding certain new routes.

On the question,

Will the House agree to the bill on third reading?

Mr. FISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1, Page 3, by inserting after line 16, the following:

[Route 08157. Beginning at a point on Route 08115 about 0.25 of a mile west of the Susquehanna County line; thence northeasterly in Tuscarora Township to a point on the Susquehanna County line, in Bradford County, a distance of about 1.4 miles.]

Amend Section 1, Page 4, by striking out all of lines 18 to 20, inclusive.

Amend Section 1, Page 5, by striking out all of line 1 to 4 inclusive.

Amend Section 1, Page 5, by striking out all of lines 13 to 19 inclusive.

Amend Section 1, Page 6, by striking out all of lines 1 to 7 inclusive.

Amend Section 1, Page 6, by striking out all of lines 18 to 20 inclusive.

Amend Section 1, Page 7, by striking out all of lines 1 to 11 inclusive.

Amend Section 1, Page 8, by inserting after line 15, the following:

Route 21028. Beginning at a point in Monroe Township intersecting Route 21029 about one mile south of Churchtown; thence through Monroe Township, by way of Churchtown, intersecting Routes 125 and 507, to a point intersecting Route 305 about one and one-half miles west of Locust Point, thence northwesterly through Silver Springs and Middlesex Townships to an intersection with Routes 21011 and 21066, in Cumberland County, a distance of about [3.2] 6.1 miles.

Route 21069. Beginning at a point on Route [34 near Salem Church;] 507 approximately one mile east of Mechanicsburg; thence southeasterly through Hampden and Lower Allen Township to an intersection with Route 21014 near Rossmoyne, in Cumberland County, a distance of about [5.0] 2.9 miles.

[Route 21078. Beginning at a point on Route 21015 about 1.5 miles north of Route 708; thence easterly and northerly along Conodoquinet Creek through East Pennsboro Township to a point on Application 231, in Cumberland County, a distance of about 1.6 miles.]

Amend Section 1, Page 12, by inserting after line 3, the following:

Route 31010. Beginning at a point on Route [31008 about 2 miles north of Route 1192; about three miles north of the Fulton County line; thence easterly and northeasterly through Clay Township to a point on the south borough line of Three Springs, in Huntingdon County, a distance of about [5.07] 4.34 miles.

Route 31031. Beginning at a point on Route 193 approximately one-quarter mile south of Georges Creek in Tell Township, Huntingdon County; thence southeasterly through Tell Township to a point on Route 45-Spur in

the village of Blairs Mills; thence [northerly] southerly to a point on the [Huntingdon] Juniata County line approximately one-eighth mile [west] south of [Tuscarora] Narrows Creek, in Huntingdon County, a distance of about [3.3] 4.34 miles.

Route 31049. Beginning at a point on Route 121 approximately one-eighth mile north of the Black Log Railroad Station in Cromwell Township, Huntingdon County; thence northerly through Cromwell Township along Black Log Creek to a point on the Cromwell-Shirley Township line; thence northerly through Shirley Township to a point [on the Juniata-Huntingdon County line,] of intersection with Route 31097, in Huntingdon County, a distance of about [11.6] 8.32 miles.

[Route 31053. Beginning at a point on Route 261 in the village of Donation in Oneida Township, Huntingdon County; thence northwesterly through Oneida Township to a road intersection at the Donation School; thence northerly to a point on the Oneida-West Township line approximately three-eighth mile south of Horn Run, in Huntingdon County, a distance of about 1.5 miles.]

[Route 31063. Beginning at a point on Route 352 approximately one and five-eighth miles southwest of the village of Cottage in West Township, Huntingdon County; thence easterly through West Township along Shaver Creek, in Huntingdon County, a distance of about 0.4 miles.]

[Route 33072. Beginning at a point on Route 33036 about 0.6 of a mile south of Trout Run School; thence in an easterly direction through Bell and Henderson Townships to the Big Run Borough line, in Jefferson County, a distance of about 2.8 miles.]

Route 34001. Beginning at a point in Lack Township [on the boundary line between Juniata and Huntingdon Counties, about three miles north of the point of intersection between Juniata, Huntingdon, and Franklin counties] on Route 45 about .4 of a mile northeast of Waterloo thence [northeasterly] northerly through Lack Township to a point intersecting Route 193 at Cross Keys, in Juniata County, a distance of about [6.06] 5.8 miles.

Route 39055. Beginning at a point on Route 39057 in Heidelberg Township approximately 1.75 miles northwest of Newside; thence northerly through Heidelberg and Washington Townships [crossing] to a point on Route 39054; [thence to a point where it intersects State-Aid Application 745 at Lehigh Furnace,] in Lehigh County, a distance of about [2.75] 1.26 miles.

[Route 39095. Beginning at a point at the intersection of Welshtown Road and the borough line of Slatington; thence northwesterly and westerly through Washington Township to a township road; thence southerly to a township road; thence southwesterly and southerly to a point on Application 745, about 0.2 of a mile west of the intersection of Route 39096 and Application 745, in Lehigh County, a distance of about 2.6 miles.]

Route 41001. Beginning [at a point on the Lycoming-Clinton County line about 2.5 miles northwest of the Corner between Clinton, Union, and Lycoming Counties; thence northeasterly through Washington Township along White Deer Hole Creek to] in Texas Village; thence northeasterly through Washington Township to the intersection with State Highway Route 176 at Elimsport, in Lycoming County a distance of about [8.9] 3.7 miles.

Amend Section 1, Page 18, by inserting after line 15, the following:

Route 53047. Beginning at the Northumberland County line, west of Klingerstown; thence easterly through Upper Mahantango Township to Hepler; thence easterly through Mahantango and Eldred Townships to the intersection with Route 723 about .5 of a mile east of Pitman; thence easterly to a point on Route 53055, in Schuylkill County, a distance of about [13.4] 12.55 miles.

Amend Section 1, Page 20, by inserting after line 13, the following:

Route 56023. Beginning at a point on [the Bradford County line at the end of] Route 56018 about .8 of a mile southwest of the Bradford County line; thence southeast-

erly through Forks Township, along Black Creek, to the Cherry Township line; thence easterly through Cherry Township to the western boundary of Dushore Borough, in Sullivan County, a distance of about [6.8] 7.15 miles.

Amend Section 1, Page 24, line 13, by inserting after the word "Hoadleys" and before the word "in" the following: thence northerly to an intersection with Route 63034

Amend Page 24, line 14 by striking out the figures "4.75" and inserting in lieu thereof "7.74."

Amend Section 1, Page 30, by inserting after line 14, the following:

[Route 66126. Beginning at a point on Route 66062 at Ailston; thence northeasterly through Peach Bottom Township, in York County, a distance of about 0.5 of a mile.]

Amend Section 2, Page 30, by inserting after line 16, the following:

Beaver County

Route 04124. Beginning at a point on Route 347 in the village of Frisco, about 0.3 of a mile east of the intersection of Routes 482 and 347; thence in a northerly direction through Franklin Township to a point on the Beaver-Lawrence County line, about 0.15 of a mile east of the Connoquenessing River, in Beaver County, a distance of 0.4 of a mile.

Bradford County

Route 08190. Beginning at a point on Route 08032, about .5 of a mile north of Spring Hill; thence southerly through Tuscarora Township, to a road intersection, in Bradford County, a distance of about 1.3 miles.

Amend Section 2, Page 3, by inserting after line 6, the following:

Clearfield County

Route 17124. Beginning at a point on Route 313, about 0.7 of a mile south of Morrisdale; thence in an easterly, northerly, and westerly direction in Morris Township, to a point on Route 313 in the village of Morrisdale, in Clearfield County, a distance of 0.7 of a mile.

Route 17125. Beginning at a point on Route 57, about 1.5 miles southwest of the Borough of Chester Hill; thence in a westerly and northeasterly direction, in Decatur Township to a point on Route 17058, at Gearhartville, in Clearfield County, a distance of about 1.43 miles.

Route 17126. Beginning at a point on Route 17052 at the village of Lecontes Mills; thence in a general northwesterly direction, through Girard Township, to a road intersection 1.5 miles northwest of the village of Gillingham, in Clearfield County, a distance of 5.4 miles.

Cumberland County

Route 21094. Beginning at a point on Route 507 at Spanishtown; thence northerly through Hampden Township to an intersection with Route 34, in Cumberland County, a distance of about 0.5 of a mile.

Amend Section 2, Page 35, by inserting after line 2, the following:

Huntingdon County

Route 31105. Beginning at a point on Route 31032 near Hawn's Bridge; thence in a southerly direction, in Juniata Township, along the Raystown Branch of the Juniata River, in Huntingdon County, a distance of 3.30 miles.

Jefferson County

Route 33089. Beginning at a point on Route 189 about .8 of a mile northeast of Bells Mills; thence southerly through Bell Township and easterly through the village of Buff to a road intersection about .1 of a mile east of the Gaskill-Bell Township line, in Jefferson County, a distance of about 1.9 miles.

Lawrence County

Route 37082. Beginning at a point on the Beaver-Lawrence County line near the Perry-Wayne Township line; thence in a northeasterly direction through Perry Township to a point on Route 350 about 0.40 of a mile

west of Route 37018, in Lawrence County, a distance of about 0.80 of a mile.

Lehigh County

Route 39119. Beginning at a point on Application 745 about .5 of a mile northeast of Lehigh Furnace; thence northeasterly through Washington Township to a point on Route 163 at Lehigh Gap Station, in Lehigh County, a distance of about 4.5 miles.

Lycoming County

Route 41142. Beginning at a point on Route 41020 about .5 of a mile west of Route 353; thence northwesterly and westerly through Mifflin, Cummings and Watson Townships to a point on Route 41020, in Lycoming County, a distance of about 2.9 miles.

Route 41143. Beginning at a point on Route 23 near its intersection with Route 41028; thence southwesterly and westerly through the village of Liden, Woodward Township, to a point on Route 23, in Lycoming County, a distance of about .59 of a mile.

Route 41144. Beginning at a point on Route 19065 near the Columbia County line; thence westerly and northerly through Jordan Township to a point on Route 41076, in Lycoming County, a distance of about .5 of a mile.

Route 41145. Beginning at a point on Route 41078 about 1.1 miles north of Chestnut Grove; thence westerly through Franklin and Moreland Townships to a point on Route 41076, in Lycoming County, a distance of about 2.7 miles.

Amend Section 2, Page 35, by striking out all of line 11.

Amend Section 2, Page 37, by inserting after line 17, the following:

Schuylkill County

Route 53113. Beginning at a point on Route 161 at Big Mine Run; thence in a northerly direction through Butler Township to a point on the Schuylkill-Columbia County line, in Schuylkill County, a distance of about one mile.

Amend Section 2, Page 38, by inserting after line 15, the following:

Sullivan County

Route 56046. Beginning at a point on Route 56010 about .5 of a mile west of Route 16; thence northerly through Davidson Township to a point on Route 611, in Sullivan County, a distance of about .6 of a mile.

Amend Section 2, Page 41, by striking out all of line 18.

Amend Section 2, Page 42, by striking out all of lines 1 to 3 inclusive and inserting in lieu thereof, the following:

Route 63111. Beginning at a point on Route 63059 about 1.1 miles north of Route 365; thence easterly and northeasterly through Scott and Buckingham Townships by way of Pleasant Valley and Autumn Leaves to a point on Route 63058, in Wayne County, a distance of about 7.0 miles.

Amend Section 2, Page 42, by inserting after line 13, the following:

Route 63114. Beginning at a point on Route 63018 about .7 of a mile east of the Lackawanna County line; thence easterly through Sout Canaan Township to a point on Route 949, in Wayne County, a distance of about 1.2 miles.

Route 63115. Beginning at a point on Route 63017; thence northerly through Sout Canaan and Canaan Townships to a point on Route 943, in Wayne County a distance of about 1.0 miles.

York County

Route 66205. Beginning at a point on Route 66066 near Bryannsville; thence in a southerly direction through Peach Bottom Township to a point on Route 66044, in York County, a distance of about 0.65 of a mile.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

On the question,

Will the House agree to the bill on third reading?

Mr. FISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information,

The Clerk read the amendments as follows:

Amend Section 1, Page 2, by inserting after line 15, the following:

Brownsville Borough

[Route 26066. Extending Route 26066.—Beginning at a point on the Brownsville Borough-Brownsville Township line, thence in a northwesterly direction on Union Street to an intersection with Route 113, at Union Street and Broadway, in the borough of Brownsville, Fayette County, a distance of about .29 of a mile.]

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and pro-

viding penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

On the question,

Will the House agree to the bill on third reading?

Mr. FISS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2, Page 3, by inserting after line 19, the following:

Beginning at a point on the Williamsport City-Lycoming Township line, thence southwesterly to Daugherty Run Road, in the City of Williamsport, a distance of about 0.006 of a mile.

Beginning at a point on the Williamsport City-Lycoming Township line, thence southeasterly on Fox Hollow Run Road to Ridge Avenue, in the City of Williamsport, a distance of about 0.42 of a mile.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1039, as follows:

An Act authorizing and directing the Delaware River Joint Commission to formulate a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Delaware River Joint Commission created under the authority of the act approved the twelfth day of June one thousand nine hundred thirty-one (P. L. 575) entitled "An act providing for joint action by Pennsylvania and New Jersey in the development of the ports on the lower Delaware River and the improvement of the facilities for transportation across the river authorizing the Governor for these purposes to enter into an agreement with New Jersey creating The Delaware River Joint Commission and specifying the powers and duties thereof including the power to finance projects by the issuance of revenue bonds transferring to the new commission all the powers of the Delaware River Bridge Joint Commission and making an appropriation" an a similar act of the State of New Jersey is hereby directed to formulate a specific action program for the following purposes

(a) The promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce

(b) The promotion of increased commerce on the Delaware River both freight and passenger

(c) The making of recommendations to the proper authorities for the improvement of terminal lighterage wharfage warehouse and other facilities necessary for the promotion of commerce on the Delaware River

(d) The making of a report on any other factors which may be of mutual benefit to the Commonwealth of Pennsylvania and the State of New Jersey insofar as concerns the promotion of the development of ports along the Delaware River and the use by commercial vessels of their facilities

Section 2 The Delaware River Joint Commission is further authorized and directed to make an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay

Section 3 The said Delaware River Joint Commission shall proceed without delay to study these two problems in their entirety in cooperation with the Interstate Commission on the Delaware River Basin also an agency of the Commonwealth of Pennsylvania and the State of New Jersey and of the States of New York and Delaware and shall make a report to the General Assembly not later than the first day of February one thousand nine hundred and forty-nine

Section 4 For the purpose of carrying out the provisions of this act the sum of sixty-five thousand (\$65,000) dollars is hereby appropriated to the Delaware River Joint Commission which sum shall become available when the State of New Jersey has made a like appropriation to said Delaware River Joint Commission

Section 5 The provisions of this shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Frost,	McCosker,	Sarra,
Andrews,	Gallagher,	McCullough,	Sax,
Bane,	Getchey,	McDonald,	Scanlon,
Barrett,	Gibson,	McKinney,	Schuster,
Baumunk,	Goff,	McMillen,	Scott,
Beech,	Goodling,	Mihm,	Serrill,
Bender,	Gorman,	Mikula,	Shoemaker,
Bentzel,	Graybill,	Miller,	Simons,
Bloom,	Greenwood,	Mills,	Smith, C. C.,
Boles,	Greer,	Mintess,	Smith, C. M.,
Bonawitz,	Griffiths,	Mohr,	Snider,
Boorse,	Guthrie,	Mooney,	Sollenberger,
Bower,	Gyger,	Moore, C. E.,	Sorg,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Ushur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davisor,	Kirley,	Price,	Walton,
De Long,	Kline,	Proper,	Waterhouse,

Demech,
Dennison,
Depuy,
Dlx,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Floor,

Kohl,
Kratz,
Krise,
Kurtz,
Laughner,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

Watkins,
Watson,
Weldner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—2.

Layor,

Sproul,

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1311, as follows:

An Act regulating the practice of the profession of forestry in all of its branches including timber estimating and defining such branches providing for the registration of certain persons practicing or offering to practice said profession creating and conferring certain powers and imposing certain duties upon the State Registration Board for Professional Foresters in the Department of Forests and Waters providing appeals and fixing penalties

Whereas the practice of forestry either by a professional forester under forester or forest ranger involves the safeguarding of life health and property and is involved throughout by a peculiar public responsibility through the control of forests fires requiring the setting of back fires on the property of others through the preparation of forest cutting and working plans involving future yield of forest property as well as the control of forest cover and thus affecting soil erosion water run-off and sudden stream fluctuations through the preparation of forest planting plans involving the recommendation of the use of proper tree species and

Whereas erroneous advice and measures in the propagation and care of forests is followed by long time and almost irreparable public and private injury because of the long time element in the growth of forest trees and

Whereas the practice of forestry is now a recognized profession in the State and Nation with adequate and extended methods of training therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 (a) The term "professional forester" as used in this act shall mean a person who through technical knowledge gained by education or experience in one or more branches of forestry including timber estimating initiates investigates plans and directs the control of the forces of and the materials of nature and of human activities in connection therewith for the management of forests and forest land for the benefit of man including the making of growth and yield studies forest management plans and planting plans for timber production soil erosion control or other purposes making estimates of forest damages and who represents himself or herself to be such a professional forester either through the use of the term "professional forester" or "forester" with or without qualifying adjectives or through the use of some other

title implying that he or she is such a professional forester or is qualified to practice forestry as a profession

(b) The term "forest ranger" as used in this act shall mean a person who through technical education comparable to a two-year forest ranger course in recognized colleges or forest schools or equivalent experience is qualified to carry out minor forest activities and operations such as timber estimating and log scaling the laying out and construction of forest roads fire lines boundary surveys the planting of forest trees carrying out forest cuttings under direction and other activities not including the originating of general layout and planning of the management of forest properties under the direction of a qualified professional forester

(c) The term "timber estimator" as used in this act shall mean a person qualified by education or experience to estimate standing timber and measure forest products and forest land area

(d) The term "board" as used in this act shall mean the State Registration Board for Professional Foresters created by this act

The term "department" as used in this act shall mean the Department of Forests and Waters

Section 2 There is hereby created a departmental administrative board within the Department of Forests and Waters to be called the State Registration Board for Professional Foresters

Within ninety days after the approval of this act the Governor shall appoint the State Registration Board for Professional Foresters composed of the Secretary of Forests and Waters who shall be chairman The Secretary of the State Forest Commission who shall be secretary and three other members residents of Pennsylvania who shall be Professional Foresters actively engaged in forestry work and who shall hold office for terms of five years each a majority of the board shall constitute a quorum A member shall continue in office until his successor is appointed Vacancies shall be filled by appointment of the Governor for the unexpired term The members of said board shall before entering on the discharge of their duties subscribe to and file with the Secretary of the Commonwealth the constitutional oath of office Members of the board shall receive no salary for service on the board but may be paid fifteen dollars (\$15) per day for actual services and in addition necessary traveling expenses and shall be entitled to necessary secretarial clerical and investigatory assistance which shall be furnished by the department

Section 3 Persons to be eligible to registration in any of the classes herein listed must be citizens of the United States and residents of Pennsylvania must be twenty-one years of age or over must be able to read write and speak the English language and must be of good character and repute In addition to be eligible evidence of qualification must be offered for each grade as follows

(a) For registration as a professional forester four years' work and graduation from a forest school of recognized collegiate grade or its equivalent plus four years of active forestry practice of such nature as to indicate knowledge and ability to plan and execute forestry operations over the general field of forestry An election to senior membership in the Professional Society of American Foresters shall be admitted as evidence of the meeting of the above requirements except that in cases of doubt the board may require the passing of a written examination and such other evidence as it deems necessary to maintain the standard of the profession

(b) For registration as a forest ranger two years' work in a recognized forest or ranger school to include one year of forestry work and one year of practical woods experience or five years of practical woods experience the practical experience to be in forest work involving forest protection road fire and boundary line work timber cutting forest surveying forest planting game protection or other forest activities carried on under direction of a professional forester

Persons employed in Pennsylvania at the time of the

passage of this act in forest work for at least one year and acceptably performing duties equivalent to that of the grade of forest ranger may within one year of the passage of this act apply for and receive forest ranger certification on presentation of evidence satisfactory to the board for such qualifications and employment In cases of doubt of qualifications the board may require a satisfactory passing of an examination

(c) For registration as a "timber estimator" at least two years' training in a forest school or forest ranger school with not less than one year of forestry subjects including forest mensuration plus one year in practical timber estimating as an assistant to a qualified professional forester or timber estimator or five years' experience in timber estimating The board may require the satisfactory passing of an examination in the case of doubt as to proper qualification

Section 4 It shall be the duty of the board to require applications to be filed setting forth the applicant's training experience and fitness and to hear evidence for or against the granting of a certificate

(1) The board shall make diligent inquiry into the character of the applicant and into the truth of the statements set forth in the application

(2) The board shall act on applications within six months unless a written examination is required

(3) Such examinations need not be given more than once in each calendar year

(4) If lack of qualification is evident to a majority of the board expressed in formal vote a certificate shall be denied

(5) A majority vote of the board shall govern in all decisions

Section 5 The board shall keep a record of its proceedings and a register of all applicants to whom it has granted registration certificates and a register of the applicants refused certificates with the reasons therefor and such other information deemed advisable by the board The department shall be required to publish annually a list of the persons registered for that particular year

Section 6 An applicant for registration to practice forestry in the different grades shall be permitted to practice while his application is pending providing he has paid the required application fee

Section 7 Official certification by other states or the divisions of or the Dominion of Canada having standards equivalent to those herein set forth shall be considered evidence in favor of issuing a certificate for the same grade in the practice of forestry in Pennsylvania

Section 8 A nonresident of the State may practice forestry for thirty days within this State without certification provided he or she is licensed to practice the same branches of the profession in his or her own state and the certifying standards of the state are deemed by the board as equivalent to those set forth in this act

Section 9 Officers or employees of the Government of the United States are exempted from the requirements of registration in the official practice of forestry within the State on lands the title to which is vested in the Federal Government

Section 10 The initial fees required for certification to be paid with the application shall be ten dollars (\$10) for a professional forester five dollars (\$5) for a forest five dollars (\$5) for a timber estimator

Annual renewal fees shall be charged as follows professional forester three dollars (\$3) forest ranger and timber estimator one dollar (\$1)

Section 11 The board shall have the power to revoke the certificate of registration of any registrant who is found guilty of

(1) The practice of fraud or deceit in obtaining a certificate of registration or

(2) Any gross negligence incompetence or misconduct or unprofessional conduct in practicing as a registrant

Any person may prefer charges of fraud deceit negligence incompetence or misconduct or unprofessional conduct against any registrant Such charges shall be in writ-

ing and shall be sworn to by the person making the same and shall be filed with the board

All charges unless dismissed by the board as unfounded or trivial shall be heard and disposed of by the board within three months after the date on which they are preferred

The accused registrant and accuser shall be given thirty days' notice of the hearing and opportunity to appear at the hearing with counsel and to call witnesses and to cross-examine the opposing witnesses

The vote of a majority of the board that the charges have been sustained shall require revocation of the person's registration

Section 12 Any person who shall feel aggrieved by any action of the board in denying or revoking his or her certificate or registration may appeal therefrom to the court of common pleas of Dauphin County and after full hearing said court shall make such decree sustaining or reversing the action of the board as to it may seem just and proper The action of said court shall be final

Section 13 (a) Nothing in this act shall be construed as requiring a certificate of registration for practicing the profession of forestry in any of its branches including timber estimating by any persons firm copartnership or corporation on property owned or leased by such person firm copartnership or corporation unless the same affects the public safety or health or property of any other person firm copartnership or corporation

(b) Nothing in this act shall prevent a forest owner from employing any person to do work or labor of any kind in the owner's forest without registration as long as such person makes no claim or representation to being a professional forester forest ranger or timber estimator.

Section 14 Any person who shall practice the profession of forestry in any of its branches laying claim to be a professional forester forest ranger or timber estimator without being registered or exempted in accordance with the provisions of this act or any person presenting or attempting to use as his or her own the certificate of registration of another or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration or any person who shall falsely impersonate any other registrant of like or different name or any person who shall use or attempt to use an expired or revoked certificate of registration or shall violate any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction be sentenced to pay a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or suffer imprisonment for a period not exceeding three (3) months or both

Section 15 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarraf,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,

Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Weachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davidson,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Proper,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Kruse,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foot,	Mazza,	Royer,	Lichtenwalter,

Speaker.

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1332, as follows:

An Act to establish in cities of the first class a house of detention for delinquent dependent and neglected children up to eighteen years of age providing for the management and the maintenance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 House of Detention of Juvenile Offenders In every city of the first class there shall be provided in the way hereinafter mentioned a house of detention for the reception of untried juvenile offenders and dependent and neglected children up to the age of eighteen years who may be in the custody of an officer appointed or elected under any law of this Commonwealth and whose cases may be under judicial investigation under any laws of this Commonwealth pending such investigation and final determination of such case or cases

Section 2 Board of Managers Appointment Term of Office Compensation Removal A house of detention established under the provisions of this act shall be provided and managed by a board of managers consisting of five members two of whom shall be women said board of managers to be appointed by the judges of the Municipal Court of Philadelphia County having jurisdiction in the said city Such board of managers shall serve without compensation and shall hold office for two years and until their successors are appointed subject to removal by the judges of the Municipal Court of Philadelphia

Section 3 Duties of Board of Managers The duties of the

board of managers shall be to provide a house purchased by the city for the reception of children to be placed therein under the provisions of this act to alter said house for such purpose to keep the same in repair and generally to fit and furnish said house so that the same may be suitable for the care of the children intended to be received and especially to arrange such house so that a separate room (so far as possible) may be provided for the accommodation of each child who may be received therein and generally to supervise and oversee the management of said house

Section 4 Payment of expenses Expenses incurred in the performance of the duties of the board of managers shall be itemized and presented with proper vouchers to the county commissioners of the county containing said houses of detention for which said board of managers may be appointed who shall be required to pay the said expenses

Section 5 Appointment of Caretakers Compensation It shall be the duty of the board of managers to appoint a man and woman to take charge of the house and children committed to such of detention together with other adequate personnel and generally to maintain order and discipline among the children so committed into their keeping The salary or compensation to be paid to said caretakers and the personnel of the said house of detention shall be fixed by the board of managers and certified to the said county commissioners as one of the expenses of maintaining such houses of detention as are established by this act

Section 6 Alternative Placement of Delinquents It shall not be essential to commit a juvenile offender a dependent or a neglected child to the house of detention established by this act if in the judgement of the probation officer now or hereafter to be appointed under any present existing law or laws of this Commonwealth it should be deemed expedient to otherwise dispose of said child

Section 7 Payment of Costs of Maintenance and Construction The cost and expenses of construction and maintaining the houses of detention by this act established shall be provided by the city containing the said house of detention

Section 8 Repeals The act approved the second day of July one thousand nine hundred one (P. L. 601) entitled "An act to establish in cities of the first and second class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof" insofar as it applies to cities of the first class is hereby repealed

All other acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the lady from Philadelphia, Mrs. McCosker.

The SPEAKER. Will the lady from Philadelphia permit herself to be interrogated?

Mrs. McCOSKER. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the lady from Philadelphia concerning this bill which repeals the act of July 1st, 1901, P. L. 601, providing for a new house of detention, whether it could not have been accomplished by amending this act rather than by repealing it?

Mrs. McCOSKER. Mr. Speaker, the bill was given to me by the Honorable Judge Frank Smith of Philadelphia, and after I had the bill Mr. Hannestad gave me a letter which I consulted with Judge Smith about. The former bill did take care of the delinquent children and dependent children, and this bill would increase the number. Under

the old bill the Home took twenty-five children so Judge Smith was very anxious to have this bill passed by the Legislature so that it would protect the newly erected detention Home in Philadelphia.

Mr. CHUDOFF. Mr. Speaker, I thank the lady.

I did not interrogate the lady from Philadelphia for the purpose of opposing this bill. This bill is a definite step forward for the juveniles in Philadelphia required to be detained and also it increases the age of the juveniles from 16 to 18 in Philadelphia. We had the problem of sending girls between the ages of 16 and 18 to Morals Court and we had the problem of sending boys between the ages of 16 to 18 to the County Prison. The money for this house of detention has been appropriated, the site has been fixed and it is a definite step forward in Philadelphia, which has been needed for a long time.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boies,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,

Speaker.

NAYS—0.

NOT VOTING—1.

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 152, Printer's No. 245 and

Senate Bill No. 318, Printer's No. 81

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 356, as follows:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 312 of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 312 The president shall be the executive officer of the board of school directors and as such he together with the secretary when directed by the board shall execute any and all deeds contracts warrants to tax collectors reports and other papers pertaining to the business of the board requiring the signature of the president In school districts other than in school districts of the first class he [He] shall after the board has acted on and approved any bill or account for the payment of money authorized by this act sign an order on the treasurer for the payment of the same [Provided That in any school district of the first class the board of school directors may direct that any member or other officer of the board than the president shall approve all school orders] He shall in no case except as this section otherwise provides sign any order for any sum unless the same has first been acted upon and approved by the board and the amount thereof and the name of the payee properly inserted Any orders which shall be for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage may be signed without the approval of the board first having been secured all such orders shall be presented to the board at its next meeting The president shall perform such other duties as the board may direct and as pertain to his office

Section 2 Section 324 of said act as last amended by the act approved the seventh day of August one thousand

nine hundred forty-one (P. L. 891) is hereby further amended to read as follows

Section 324 The treasurer of each school district shall receive all State appropriations district school tax and other funds belonging to the school district and pay out of the same on proper orders approved by the board of school directors signed except in districts of the first class by the president and in any school district of the first class [by any other properly authorized person and attested] by the secretary Provided That the treasurer may pay out such funds on orders which have been prepared and signed by the secretary and signed in school districts other than school districts of the first class by the president for the payment of amounts owing under any contracts which shall previously have been approved by the board and by the prompt payment of which the district will receive a discount or other advantage without the approval of the board first having been secured Provided further That in all school districts of the first class all school orders before being paid by the school treasurer shall be approved by the school controller of such district The school treasurer of each school district of the first class may recommend to the board of public education for appointment a deputy school treasurer The board of public education shall appoint as deputy school treasurer the candidate recommended by the school treasurer who in case of death resignation or inability of the school treasurer to act for any cause whatsoever shall have the same powers and shall perform the same duties as imposed by law on the school treasurer In case the school treasurer does not recommend to the board of public education for appointment a deputy school treasurer the board of public education may elect a deputy school treasurer who shall serve until such time as the school treasurer recommends to the board of public education the appointment of a deputy school treasurer The salary of the deputy school treasurer shall be fixed by the board of public education He shall furnish bond in the sum of ten thousand (\$10,000) dollars

Section 3 This act shall become effective immediately upon its passage by the General Assembly and its approval by the Governor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelsch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Unshur.

Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Krise,	Ragot,	Watkins,
Depuy,	Kurtz,	Readinger,	Watson,
Dix,	Kratz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Effenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
			Speaker.

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 453, as follows:

An Act to amend section fourteen of Article XIX of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of the Commonwealth" by extending the time for posting of eligible lists after examination held by the Civil Service Commission when more than one thousand applicants are examined

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of Article nineteen of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of the Commonwealth" is hereby amended to read as follows

Section 14 All examinations shall be free impartial and practical in their character and shall deal with the duties and requirements of the position to be filled They may include examinations of physical fitness and manual skill Examinations shall be in charge of the chief examiner except when a commissioner acts as examiner The commission may call on other persons either within or without the city service to draw up conduct or mark examinations and when such persons are connected with the city service it shall be deemed a part of their official duty to act as examiners without extra compensation In entrance and promotion examinations the oral part shall not receive a mark exceeding one-fourth of the whole mark attainable in such examination Honorably discharged soldiers sailors and marines who have served as such in the Army Navy or Marine Corps of the United States or in the National Guard of this State shall be given full credit for their experience gained in such service having due regard to the position for which the examination is held As many examinations shall be held as may be necessary to provide eligibles for each grade of the service and to meet all requisitions and to fill all positions held by temporary appointees From the return and report of the examiners or from the examinations made by the commission it shall

prepare a list of eligibles for such grade Such persons shall take rank upon the list in the order of their relative fitness as determined by the examination without reference to priority of time of examination The markings of all examinations shall be completed and the resulting eligible list posted within sixty days from the date of the examination Provided That if the number of applicants taking the examinations shall exceed one thousand the time for completion of the markings and posting of the eligible list shall be extended by fifteen days and shall be further extended by fifteen days for each additional thousand applicants who actually competed in the examination The commission shall maintain a civil list of all persons in the classified service showing in connection with each name the position held the date and character of every appointment and of every subsequent change in status Each appointing officer shall promptly transmit to the commission all information required for the establishment and maintenance of said civil list. The commission shall keep minutes of its own proceedings All minutes examination papers eligible lists and other records of the commission except as hereinafter specifically provided as well as all recommendations and correspondence relating to applicants for office or employment received by the commission or by any officer having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the time of examination be open to public inspection during ordinary business hours Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and that these alone shall not be open to examination by any person not employed by the commission nor by such applicant even though employed by the commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Full,	Smith, C. M.,
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Breisch,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenschild,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Bucchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,

Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
			Speaker.

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution havink voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 542, as follows:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 607 Disturbing Traps of Another It is unlawful for any person to disturb the traps of another or to take a fur-bearing animal racoon or predator from the traps of another unless specifically authorized by the owner

Except as otherwise provided by law and unless traps are set on private property without the permission of the owners or occupiers of the property it is unlawful for any person to tamper with disturb mutilate destroy or remove any trap or other device set by an officer or any other agent of the commission for the purpose of trapping wild animals or birds or to interfere in any manner whatsoever with such trapping operation or to remove or attempt to remove any animal or bird from such trap or device

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read a length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—204.

Aaronson, Frost, McCormack, Sarraf,

Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Schuster,
Baumunk,	Goff,	McKinney,	Scott,
Beech,	Goodling,	McMillen,	Serrill,
Bender,	Gorman,	Mihm,	Shoemaker,
Bentzel,	Graybill,	Mikula,	Simons,
Bloom,	Greenwood,	Miller,	Smith, C. C.,
Boles,	Greer,	Mills,	Smith, C. M.
Bonawitz,	Griffiths,	Mintess,	Snider,
Boorse,	Guthrie,	Mohr,	Sollenberger,
Bower,	Gyger,	Mooney,	Sorg,
Brelschi,	Hall,	Moore, C. E.,	Sproul,
Brice,	Haller,	Moore, H. A.,	Stank,
Brown,	Haudenshield,	Morrison,	Stimmel,
Brunner,	Helm,	Murray,	Stockham,
Buchin,	Henry,	Myers,	Stonier,
Cadwalader,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cassidy,	Hoffman,	Needham,	Tahl,
Chervenak,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petroosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
			Speaker

NAYS—0.

NOT VOTING—1.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with information that the House of Representatives has passed the same without amendment.

REPORT FROM COMMITTEE

Mr. FISS from the Committee on Rules reported as committed Senate Concurrent Resolution, Serial No. 122.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 7th, 1947.

May 20th, 1946 marked the passing of Major General Edward C. Shannon at his residence in Columbia, Lancaster County, Pennsylvania, at the age of seventy-five years. Stricken on Christmas Eve previously with a heart ailment, General Shannon lost strength steadily until he succumbed.

General Shannon was Lieutenant-Governor and the presiding officer of this Body from 1931 to 1935 during Governor Pinchot's second term. His incumbency saw four Legislative Sessions in addition to two regular terms which lasted five months each or a total of one hundred and fifty-nine legislative days.

General Shannon sought the Republican Gubernatorial Nomination in 1934, running second to the Honorable William A. Schnader, Attorney General in Governor's Pinchot's Cabinet in a primary field of sixteen candidates.

Born in Phoenixville, Montgomery County, Pennsylvania, June 24th, 1870, a son of the late Frederic Hallman and Janet Murray Shannon. He was educated in the public schools of that community. As a young man, however, he left his home community and launched upon his long illustrious career, first as a blast furnace superintendent and Chemist at Marietta in Lancaster County, Pennsylvania.

April 10th, 1889, he enlisted in the 4th Infantry, Pennsylvania National Guard as a Private. Seven years later he rose to the rank of Captain. During the Spanish-American War he led Company C, 4th Infantry, to Puerto Rico where it was engaged in active service. He was mustered out November 16, 1898.

Meanwhile General Shannon had become Manager of the Triumph Manufacturing Company.

In addition General Shannon was Treasurer and General Manager of the Lucas Manufacturing Company and shortly after his return from the first World War he was elected Prothonotary of Lancaster County. He was a staunch Republican.

Returning to Columbia he was married on April 22nd, 1899, to Miss Maude C. Lucas. There was a daughter born of the marriage, Miss Janet C. Shannon, now the wife of Wilbur C. Varian, residing with their two sons at Coatesville, Pennsylvania. Mrs. Shannon predeceased the General by approximately three years.

He served along the Mexican Border in 1916-17 as a full Colonel in command of the 4th Infantry at the beginning of World War I.

When the 7th Pennsylvania Division was reorganized into the 28th Infantry Division, he was given command of the 111th Infantry Regiment. With his Regiment he landed in France May 5th, 1918 and almost immediately went into combat action where he earned the nickname of "Two Yard Shannon" in keeping that distance ahead of his front line troops. He was cited for bravery and won the Distinguished Service Medal for "exceptionally meritorious and distinguished service" in the Champagne-Marne offensive. With his Regiment he served in five separate campaigns in France and he brought his troops back home in April 1919.

On reorganization of the Guard in Pennsylvania, he was commissioned a Brigadier General in command of the 56th Infantry Brigade. Later in 1933 he was promoted to Major General and assigned to command the 28th Infantry Division and the Pennsylvania National Guard. At that time he was serving the Commonwealth of Pennsylvania as Lieutenant-Governor but after some arrangements he was permitted to hold both offices of Lieutenant-Governor and Major General, drawing only one salary. Later special legislation was passed permitting him an extra five years as Commander of the 28th Division and the National Guard. He ended his military career at Indiantown Military Reservation on June 24th, 1939, after fifty years of service.

During World War II General Shannon served on a draft board in Lancaster County.

For twenty-five years General Shannon was President of the Board of Trustees of the Pennsylvania Soldiers' Orphans School at Scotland, Pennsylvania. He was a trustee of the Valley Forge Military Academy and served as Chairman of the Valley Forge Historical Commission and also as Chairman of the State Military Reservation Commission.

General Shannon was President of the Columbia Water Company and the First National Bank of Columbia. He was a member of the Board of Directors of the Columbia Hospital. He was a Director of the Columbia Chamber of

Commerce and a past President of the Columbia Rotary. He was a Director of the Columbia Red Cross Chapter, member of Zembo Shrine, Sojourners, Columbia Lodge No. 286 F. and A. M., Royal Arch Masons, Columbia Chapter 224, Knights Templar Commandry No. 34, member of the Hamilton Club at Lancaster, Pennsylvania, the Elks, the United Spanish War Veterans, the American Legion and Veterans of Foreign Wars.

Tall, gray and handsome, General Shannon was a colorful character. On a balmy Saturday afternoon in April 1941, during the heat of my first campaign for State Senator from the District in which we were both voters, I planned to make a dozen or more calls in Columbia and I chose to call at General Shannon's residence first. I found him at home alone with his wife, having just finished his dinner. He was in a contemplative and reminiscent state of mind and Mrs. Shannon joined us in the drawing room. I made no other call in Columbia on that Saturday afternoon. Late afternoon found me bidding adieu after a three hours' visit as interesting and soul touching as I have ever experienced. The friendship of his County of Lancaster with my County of Lebanon came in for long discussion. The loyalty of my County to him in his campaign for the Republican nomination for Governor, when other counties failed him, came in for further discussion. He discussed the result of his candidacy with no rancor but made no pretense of concealing the fact that his disappointment over his defeat was unassuaged. A typical American family Mrs. Shannon would interrupt him frequently in his reminiscences to correct him, as devoted wives are wont to do. I look back to the visit as one that was crowded to the top with human interest and it raises in me high emotion that it has fallen to my lot to eulogize him today.

In Lebanon County there has been erected and constructed a splendid Facility for the rehabilitation of Veterans of the Second World War. I can think of nothing more fitting than that this Facility should be named for this distinguished soldier who lived and died in the District in which the Facility is located. My colleagues have been very kind to me in permitting me to offer this Resolution and I now propose that it be

Resolved, (if the House of Representatives concur) That the Director of the Veterans' Administration of the United States be requested to name and designate the new veterans' Facility and Hospital in Lebanon County as "The General Edward C. Shannon Hospital" in his honor and everlasting memory.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. SPEAKER, I desire to quote from the Hanover Evening Sun of Wednesday, May 14, 1947. This is an article entitled as follows:

"Claims Daylight Saving Time Menaces Children. Physician in Philadelphia says pupils' Health is threatened by lack of proper sleep."

The article then goes on to say:

"Daylight Saving Time is a menace to the health of school children, says Dr. John P. Turner, a member of the board of education.

"Students are getting only six or seven hours' sleep and great numbers are suffering from nervous reaction because of fast time, Dr. Turner said in asking a survey be made directly through the schools by Dr. Alexander J. Stoddard, superintendent.

"Instead of getting up at 7 o'clock, our children

are getting up at six after staying up late because you just can't make a child go to bed when the sun is still up," Dr. Turner told a board meeting.

"He added he had personal knowledge students are not getting sufficient sleep because he has visited hundreds of homes as a physician and has treated the children for both physical and nervous reactions caused by lack of sleep.

"A survey would determine the extent of the harm done by a lost hour of sleep daily," he suggested.

"Joseph J. Greenberg, another member of the board, asked Dr. Turner if he thought the situation were serious enough to ask the return of Standard Time and the physician replied:

"I certainly do."

"This added hour of daylight gives me more time for golf or other outdoor activity, but I don't want it at the expense of children's health, and I know that it has had a detrimental effect on my own two grandchildren."

Now, Mr. Speaker, in the light of these facts and in the light of the interest that the farming and laboring people have in this matter throughout the Commonwealth, I cannot see any reason why the Pennsylvania Senate should not unanimously approve House Bill 771 to give the people of this Commonwealth the privilege of voting on the question of Standard or Daylight Saving Time, and to end this entire confusion throughout the State of Pennsylvania.

PERMISSION TO ADDRESS HOUSE

Mr. CHARLES C. SMITH asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to answer the gentleman from Adams. I would like him to look back over his big, healthy and strong Philadelphia delegation and realize what Daylight Savings has done for us. The only thing it has done which is detrimental is that the ultraviolet rays have caused us to lose our hair, but I see that it does exactly the same thing in Adams County, so, I do not think the gentleman from Adams is to blame for that.

RESOLUTION

Mr. CHUDOFF offered a resolution which was filed with the Clerk under the Rules.

RESOLUTION No. 15

Mr. LEISEY. Mr. Speaker, I desire to call up House Resolution No. 15, Printer's No. 617 on page 28 of today's calendar.

The resolution was read, considered and adopted as follows:

In the House of Representatives, February 18, 1947
"Hopewell" an area in Berks and Chester Counties of 1000 acres (of which 500 acres are woodland) formerly under the jurisdiction of the Federal Government is now subject to the control and supervision of the Department of Forests and Waters since it was granted to the Commonwealth under the provisions of the act approved the 2nd day of May 1945 (P. L. 834)

This beautiful park and recreational area has been partially developed. Further development is quite feasible any time by the construction of headquarters buildings, cabins, public bathing beaches, playgrounds and certain electrical sewerage and safety equipment the breaking of trails and the maintenance thereof

There are now a dozen or more State Parks there is no such park in the southeastern part of the State within

a fifty mile radius of "Hopewell" there is a population of five million. These people, hundreds of thousands of whom have visited the area in the last five years together with sportsmen who hope to see a game preserve in part of the area and service clubs and desire that "Hopewell" be made a State Park since most of them have no opportunity to visit our other State Parks therefore be it

Resolved (if the Senate concurs) That the Department of Forests and Waters continue to maintain "Hopewell" as a park and recreational area and that the Department of Forests and Waters improve and develop "Hopewell" if as and when moneys available for such purpose permit

Ordered, That the Clerk present the same to the Senate for concurrence.

INTERROGATION

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the Majority Leader, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the Majority Leader whether it is the intention of the Majority leadership to have House Bill 417 die on the calendar.

Mr. SORG. It is not, Mr. Speaker.

Mr. ANDREWS. Might I ask, Mr. Speaker, when it is proposed to call House Bill 417 up for action?

Mr. SORG. That I cannot answer truthfully, Mr. Speaker. I had understood that House Bill 417 was to be called up for action to day. However it will be deferred until tomorrow or until further conferences might be held. I do not know whether it will be called tomorrow or not.

Mr. ANDREWS. Mr. Speaker, I desire to inform the Majority Leader that in conformity with the wishes of the majority of the Democratic caucus, if the majority does not care to call up House Bill 417 for action the minority will.

Mr. SORG. I thank the gentleman, Mr. Speaker, and there will be no objection.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 106.

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards, commissions and authorities created by or operating as agencies of political subdivisions at which ordinances, resolutions, rules, regulations and other actions are adopted to be open to the public permitting the holding of executive sessions from which the public is excluded but prohibiting the adoption of ordinances, resolutions, rules and regulations at such sessions.

HOUSE BILL No. 215.

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State Employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing

powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" including within the definition of State employe employees of the Pennsylvania Turnpike Commission.

HOUSE BILL No. 670.

An Act to amend section four hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements, may be paid into a revolving fund and not in the sinking fund.

HOUSE BILL No. 832.

A Supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city, borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties," providing for the use in counties of the second class of the lot and block descriptive number, in the making of assessments, in the preparation of tax bills and tax receipts, in the filing of liens for delinquent taxes and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties, and upon treasurers, tax collectors and solicitors of cities, boroughs, towns, townships and school districts in said counties.

HOUSE BILL No. 1050.

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

HOUSE BILL No. 1053.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

SENATE BILL No. 49.

An Act providing that the statement of registration issued to electors shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof; imposing penalties and saving from prosecution licensees serving holders of such statements.

SENATE BILL No. 335.

An Act to amend section seventeen of the act approved the eighth day of April, one thousand nine hundred thirty-seven (P. L. 262), entitled "An act relating to consumer credit in amounts of one thousand dollars (\$1,000) or less; requiring licenses from the Secretary of Banking; restricting licenses to domestic business corporations; fixing minimum capital requirements; conferring certain powers on the Secretary of Banking; limiting interest and other charges; providing certain exemptions; and imposing penalties," excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof.

SENATE BILL 487.

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," changing the method of furnishing notices of taxes.

SENATE BILL No. 231.

An Act to amend the title and Section 1 of the act approved the sixteenth day of May one thousand nine hundred and forty-five (P. L. 594, and Number 249) entitled "An act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws or such corporation or by resolution of its shareholders and ratifying certain contributions" by removing certain limitations upon the power of corporations to make contributions for charitable purposes

SENATE BILL No. 557.

An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil or any petroleum products by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate:

Senate Bills for concurrence 33, 562, 600 and 616.

REPORT FROM COMMITTEE

Mr. HELM from the Committee on Rules, reported as committed, Senate Concurrent Resolution, Serial No. 108.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 3, 1947.

Whereas, The Mental Health Act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), and its amendments, and other laws relating to the subject, contain numerous inconsistencies and should be carefully studied, revised, and codified in order to make them effective for their intended purposes; therefore be it Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to survey, investigate, and consider all of the laws relating to mental health, and to revise and restate completely such mental health laws in codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying codification of the mental health laws to be introduced at the next regular session of The General Assembly.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PRESENTATION

The SPEAKER. The Chair might direct the Majority Leader at this time to at least present his very charming daughter to the membership of the House.

Mr. SORG. Did the Speaker say "daughter?"

The SPEAKER. At the moment that is all that the Chair cognizes.

Also his second charming daughter and his third charming daughter.

Mr. SORG. Mr. Speaker, number two took a walk.

The SPEAKER. The Chair wishes to inform the membership of the House that this is an Eddie Cantor Act.

COMMITTEE MEETINGS

Boroughs, Room No. 522, Tuesday, May 20, 1947, at 10 a. m., D. S. T.

Elections and Apportionment, Room No. 329, Tuesday, May 20, 1947, at 10 a. m., D. S. T.

Judiciary, Room No. 323, Tuesday, May 20, 1947, at 11 a. m., D. S. T.

There will be a Republican Caucus held Tuesday, May 20, 1947, at 11 a. m. Eastern Standard Time.

ADJOURNMENT

Mr. KRATZ. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 20, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 5:48 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., TUESDAY, MAY 20, 1947.

No. 59.

SENATE

TUESDAY, May 20, 1947.

The Senate met at 2:00 o'clock, p.m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG, offered the following prayer:

Great and marvelous are Thy works, O Lord God Almighty. We will extol Thee, O God, our King; and we will bless Thy name for ever and ever. Every day we bless Thee, and praise Thy name eternally. Great is our God, and greatly to be praised; and his greatness is unsearchable. We will speak of the glorious honor of Thy majesty, and of Thy wondrous works.

Give us, we pray Thee, O God, the spirit of the Psalmist of old who penned the foregoing and appropriated it to the ages. May our sense of honor, of loyalty and of respect, so arrest our spirits and thinking that we shall be enabled to contribute worthily to the great cause of the common good to, and for, all mankind.

Save us to do the highest and best of which we are capable. Make us worthy to come and go before our people of this great state as uplifting forces for goodness; saturate us with balanced understanding, pulsating with a joyous outlook for all future days.

Let Thy spirit rest upon this august company assembled here in this Senatorial chamber. Be pleased to cheer and comfort the sick and distressed of our number. Save Thy people everywhere and bless Thine inheritance; feed them also and lift them up forever. Make haste to help our troubled world and thus bring in the new day—even the day of salvation, through Him who is the Christ. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WADE, further reading was dispensed with, and the Journal was approved.

The PRESIDENT pro tempore. At this time, the Chair would like to call to the rostrum, the gentleman from Cumberland, Mr. Wade, to preside.

The PRESIDING OFFICER (Geo. N. Wade) in the Chair.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate B. Frank morgal, 515 Decon Road, Camp Hill, Cumberland County, for reappointment as a Member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1957; also John B. Conly, 7248 Penn Avenue, Pittsburgh, Allegheny County for appointment as a Member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1949, vice Ralph W. Thorne, Williamsport, deceased.

JAMES H. DUFF.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. C. Minter, R. D. No. 1, Claysville, Washington County, for appointment as Justice of the Peace in and for the Township of Buffalo, Washington County, until the first Monday of January, 1948, vice John S. Wright, deceased.

JAMES H. DUFF.

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 20, 1947.

Mr. LETZLER. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Gene F. Bridges, Pittsburgh, 1003 Farmers Bank Building.

Miss Lillian L. Rodgers, Pittsburgh, 710 Berger Bldg.
Mill Helen Soma, Pittsburgh, 1204 Peoples East End Building (6).

BUCKS COUNTY

Elvy I. Crouthamel, Warrington Twp., Warrington.

CLINTON COUNTY

Charles E. Messner, Pine Creek Twp., c/o New York Central R. R. Co., R. D. 2, Jersey Shore.
Darwin E. Neitz, South Renovo.

LUZERNE COUNTY

Albert J. Loquasto, Pittston.

LEHIGH COUNTY

Jack B. Rader, Bethlehem.

PHILADELPHIA COUNTY

Louis Diamond, Phila., 5856 Woodcrest Ave.
Mrs. Alice R. Ridyard, Phila., 130 E. Duval St.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. TALLMAN and Mr. LETZLER, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 497, entitled:

An Act to ascertain and appoint the fees to be received by clerks of the courts of oyer and terminer and quarter sessions of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes.

Which was committed to the Committee on Local Government.

House Bill No. 499, entitled:

An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties of the third, fourth, fifth, sixth, seventh and eighth classes, to provide the time of paying the same, and to repeal all acts inconsistent herewith.

Which was committed to the Committee on Local Government.

House Bill No. 706, entitled:

An Act to amend subsection (e) of section two of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," further regulating dust hazards.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1039, entitled:

An Act authorizing and directing the Delaware River Joint Commission to formulate a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce and to make a study for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay and making an appropriation

Which was committed to the Committee on State Government.

House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River, both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates.

Which was committed to the Committee on State Government.

House Bill No. 1170, entitled:

An Act relating to alcoholic liquors alcohol and malt and brewed beverages amending revising consolidating and changing the laws relating thereto regulating and restricting the manufacture purchase sale possession consumption importation transportation furnishing holding in bond holding in storage traffic in and use of alcoholic liquors alcohol and malt and brewed beverages and the persons engaged or employed therein defining the powers

and duties of the Pennsylvania Liquor Control Board providing for the establishment and operation of State liquor stores for the payment of certain license fees to the respective municipalities and townships for the abatement of certain nuisances and in certain cases for search and seizure without warrant prescribing penalties and forfeitures and repealing existing laws.

Which was committed to the Committee on Law and Order.

House Bill No. 1311, entitled:

An Act regulating the practice of the profession of forestry in all of its branches, including timber estimating and defining such branches; providing for the registration of certain powers practicing or offering to practice said profession; creating and conferring certain powers and imposing duties upon the State Registration Board for Professional Foresters, the Department of Public Instruction and the court of common pleas of Dauphin County; and providing penalties.

Which was committed to the Committee on Education.

House Bill No. 1332, entitled:

An Act to establish in cities of the first class, a house of detention for delinquent, dependent and neglected children up to eighteen years of age, and providing for the management and the maintenance thereof.

Which was committed to the Committee on Local Government.

HOUSE CONCURRENT RESOLUTION

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Forests and Waters, Game and Fish:

DEPARTMENT, FORESTS AND WATERS TO CONTINUE TO MAINTAIN "HOPEWELL" AS A PARK

In the House of Representatives, February 18, 1947.

"Hopewell", an area in Berks and Chester Counties of 5400 acres (of which 5,000 acres are woodland), formerly under the jurisdiction of the Federal Government, is now subject to the control and supervision of the Department of Forests and Waters since, it was granted to the Commonwealth under the provisions of the act approved the 22nd day of May, 1945, (P. L. 834).

This beautiful park and recreational area has been partially developed. Further development is quite feasible at any time by the construction of headquarters buildings, cabins, public bathing beaches, playgrounds, and certain electrical, sewerage, and safety equipment, the breaking of trails, and the maintenance thereof.

There are now a dozen or more State parks; there is no such park in the southeastern part of the State; within a fifty mile radius of "Hopewell" there is a population of five million. These people, hundreds of thousands of whom have visited the area in the last five years, together with sportsmen who hope to see a game preserve in part of the area, and service clubs, urge and desire that "Hopewell" be made a State Park, since most of them have no opportunity to visit our other State Parks; therefore be it

Resolved, (if the Senate concur), That the Department of Forests and Waters continue to maintain "Hopewell" as a park and recreational area, and that the Department of Forests and Waters improve and develop "Hopewell" if, as, and when moneys available for such purpose permit.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

MEMORIAL TO THE LATE MAJOR GENERAL EDWARD C. SHANNON AND URGING THE DIRECTOR OF THE VETERANS ADMINISTRATION TO NAME AND DESIGNATE THE NEW VETERANS FACILITY AND HOSPITAL IN LEBANON COUNTY AS "THE GENERAL EDWARD C. SHANNON HOSPITAL" IN HIS HONOR

In the Senate, May 7, 1947.

May 20, 1946 marked the passing of Major General Edward C. Shannon at his residence in Columbia, Lancaster County, Pennsylvania, at the age of seventy-five years. Stricken on Christmas Eve previously with a heart ailment, General Shannon lost strength steadily until he succumbed.

General Shannon was Lieutenant Governor and the presiding officer of this Body from 1931 to 1935 during Governor Pinchot's second term. His incumbency saw four Legislative Sessions in addition to two regular terms which lasted five months each or a total of one hundred and fifty-nine legislative days.

General Shannon sought the Republican Gubernatorial Nomination in 1934, running second to the Honorable William A. Schnader, Attorney General in Governor Pinchot's Cabinet in a primary field of sixteen candidates.

Born in Phoenixville, Montgomery County, Pennsylvania, June 24th, 1870, a son of the late Frederic Hallman and Janet Murray Shannon. He was educated in the public schools of that community. As a young man, however, he left his home community and launched upon his long and illustrious career, first as a blast furnace superintendent and Chemist at Marietta in Lancaster County, Pennsylvania.

April 10th, 1889, he enlisted in the 4th Infantry, Pennsylvania National Guard as a private. Seven years later he rose to the rank of Captain. During the Spanish-American War he led Company C, 4th Infantry, to Puerto Rico where it was engaged in active service. He was mustered out November 16, 1898.

Meanwhile General Shannon had become Manager of the Triumph Manufacturing Company.

In addition General Shannon was Treasurer and General Manager of the Lucas Manufacturing Company and shortly after his return from the first World War he was elected Prothonotary of Lancaster County. He was a staunch Republican.

Returning to Columbia he was married on April 22nd, 1899, to Miss Maude C. Lucas. There was a daughter born of the marriage, Miss Janet C. Shannon, now the wife of Wilbur C. Varian, residing with their two sons at Coatesville, Pennsylvania. Mrs. Shannon predeceased the General by approximately three years.

He served along the Mexican Border in 1916-17 as a full Colonel in command of the 4th Infantry at the beginning of World War I.

When the 7th Pennsylvania Division was reorganized into the 28th Infantry Division, he was given command of the 111th Infantry Regiment. With his Regiment he landed in France May 5th, 1918 and almost immediately went into combat action where he earned the nickname of "Two Yard Shannon" in keeping that distance ahead of his front line troops. He was cited for bravery and won the Distinguished Service Medal for "exceptionally meritorious and distinguished service" in the Champagne-Marne offensive. With his Regiment he served in five separate campaigns in France and he brought his troops back home in April 1919.

On reorganization of the Guard in Pennsylvania, he was commissioned a Brigadier General in command of the 56th Infantry Brigade. Later in 1933 he was promoted to

Major General and assigned to command the 28th Infantry Division and the Pennsylvania National Guard. At that time he was serving the Commonwealth of Pennsylvania as Lieutenant Governor but after some arrangements he was permitted to hold both offices of Lieutenant Governor and Major General, drawing only one salary. Later special legislation was passed permitting him an extra five years as Commander of the 28th Division and the National Guard. He ended his military career at Indiantown Military Reservation on June 24th, 1939, after fifty years of service.

During World War II General Shannon served on a draft board in Lancaster County.

For twenty-five years General Shannon was President of the Board of Trustees of the Pennsylvania Soldiers' Orphans School of Scotland, Pennsylvania. He was a trustee of the Valley Forge Military Academy and served as Chairman of the Valley Forge Historical Commission and also as Chairman of the State Military Reservation Commission.

General Shannon was President of the Columbia Water Company and the First National Bank of Columbia. He was a member of the Board of Directors of the Columbia Hospital. He was a Director of the Columbia Chamber of Commerce and a past President of the Columbia Rotary. He was a Director of the Columbia Red Cross Chapter, a member of Zembo Shrine, Sojourners, Columbia Lodge No. 286 F. and A. M., Royal Arch Masons, Columbia Chapter 224, Knights Templar Commandry No. 34, a member of the Hamilton Club at Lancaster Pennsylvania, the Elks, the United Spanish War Veterans, the American Legion and Veterans of Foreign Wars.

Tall, grey and handsome, General Shannon was a colorful character. On a balmy Saturday afternoon in April, in 1941, during the heat of my first campaign for State Senator from the District in which we were both voters, I planned to make a dozen or more calls in Columbia and I chose to call at General Shannon's residence first. I found him at home alone with his wife, having just finished his dinner. He was in a contemplative and reminiscent state of mind and Mrs. Shannon joined us in the drawing room. I made no other call in Columbia on that Saturday afternoon. Late afternoon found me bidding adieu after a three hours' visit as interesting and soul-touching as I have ever experienced. The friendship of his County of Lancaster with my County of Lebanon came in for long discussion. The loyalty of my County to him in his campaign for the Republican nomination for Governor, when other counties failed him, came in for further discussion. He discussed the result of his candidacy with no rancor but made no pretence of concealing the fact that his disappointment over his defeat was unassuaged. A typical American family Mrs. Shannon would interrupt him frequently in his reminiscences to correct him, as devoted wives are wont to do. I look back to the visit as one that was crowded to the top with human interest and it raises in me high emotion that it has fallen to my lot to eulogize him today.

In Lebanon County there has been erected and constructed a splendid Facility for the rehabilitation of veterans of the Second World War. I can think of nothing more fitting than that the Facility should be named after this distinguished soldier who lived and died in the District in which the Facility is located. My colleagues have been very kind to me in permitting me to offer this Resolution and I now propose that it be,

Resolved (if the House of Representatives concur), That the Director of the Veterans Administration of the United States be requested to name and designate the new veterans' Facility and Hospital in Lebanon County as "The General Edward C. Shannon Hospital" in his honor and everlasting memory.

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL No. 865

He also presented extract from the Journal of the House

of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 19, 1947.

Resolved, (If the Senate concur), That House Bill No. 865, Printer's No. 426, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given.

be recalled from the Governor for the purpose of further amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE CONCURRENT RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT STATE GOVERNMENT COMMISSION TO SURVEY, INVESTIGATE AND CONSIDER THE NEEDS OF AMENDING THE MENTAL HEALTH ACT

In the Senate, March 3, 1947

Whereas, The Mental Health Act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), and its amendments, and other laws relating to the subject, contain numerous inconsistencies and should be carefully studied, revised, and codified in order to make them effective for their intended purposes; therefore be it

Resolved (if the House of Representatives concur), That the Joint State Government Commission is hereby directed to survey, investigate, and consider all of the laws relating to mental health, and to revise and restate completely such mental health laws in codified form, and to report its findings and conclusions to the next regular session of the General Assembly, with a bill embodying a codification of the mental health laws to be introduced at the next regular session of The General Assembly.

HOUSE CONCURS IN SENATE BILL No. 356

He also returned to the Senate, Senate Bill No. 356, entitled:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 453

He also returned to the Senate, Senate Bill No. 453, entitled:

An Act to amend Section fourteen of Article XIX of

the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth of Pennsylvania" by extending the time for posting of eligible lists after examinations held by the Civil Service Commission when more than one thousand applicants are examined

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 542

He also returned to the Senate, Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

with the information that the House has passed the same without amendments.

PERMISSION TO ADDRESS SENATE

Mr. RAHAUSER asked and obtained unanimous consent to address the Senate.

Mr. RAHAUSER. Mr. President and members of the Senate, there is a bill that has been offered, Senate Bill 620, which I would like the privilege of calling to the attention of the members of the Senate, not because I believe they do not read over legislation very assiduously but because I had the honor of being a member of the Veterans Administration and am able to diagnose some of the phases of this bill which would be most helpful if it were adopted by the Legislature of Pennsylvania.

Mr. President the Servicemen's Readjustment Act, as passed by the Federal Government has been most successful so far as homes are concerned. In Philadelphia there were over twenty-five thousand veterans who secured homes by virtue of the Servicemen's Readjustment Act. In Pittsburgh and throughout the state of Pennsylvania a great number of veterans have secured their homes through this service.

However, while some ninety-seven per cent of the applications made for home loans under the Servicemen's Readjustment Act have been granted, under this act, so far as business loans and farm loans are concerned, for some reason or other the veteran have not been able to receive the necessary assistance. In Philadelphia, talking to the Philadelphia agency this morning, it turns out that there are 14,536 veterans who have made inquiries for business loans and out of that number only 784 were granted loans for business.

In Pittsburgh, which, by the way, has the greatest majority of business loans granted by percentage, and where the Servicemen's Readjustment Act has been found to be most successful so far as business loans are concerned, out of 1,960 applications for business loans that were made only 469 were granted. In my opinion, the difficulty is the fact that the Servicemen's Readjustment Act only provides for a fifty per cent guarantee of the loan.

Senate Bill 620, which would implement and make successful the business loan feature and the farm loan

feature, is before the Senate and it is that bill which I wish to call to the attention of the members of the Senate and ask that they read it very thoroughly and offer advice to the members of the Banking Committee, as they see the bill.

The bill has been found most successful operating in New Jersey. In New Jersey, where 12,430 business loans were made, this feature having been operating for a period of thirty-four months, only seventy needed any attention of refinancing at all.

This bill is outlined on the basis of the New Jersey act and, as I have stated, the state of New Jersey has operated this feature, for some thirty-four months and has made a profit on the operations to the amount of \$400,000. In other words, they have used this instrumentality to operate the business loan feature in the state of New Jersey and it has not cost the state a cent and at the same time some 12,000 veterans have been served and the authority has operated at a profit.

Under the G. I. Bill there is no provision so far as purchasing furniture for the home of a veteran is concerned. That is not covered under the G. I. Bill nor are loans for working capital, nor are certain features of business loans covered at all. So far as farm loans are concerned, for the purchase of farm equipment, so far as aiding a young veteran who wishes to go into farming is concerned, there is very little help or assistance that can be obtained from the Servicemen's Act. This is not due to the fact that the Servicemen's Act is weak but because of the fact that the bill needs implementation.

Senate Bill 620 can and will implement that phase of the thing. I am certain that this Legislature does not want to go on record as not having a bill involving some veteran's program for this year, and I call to the attention of the members of the Senate this bill, Senate Bill 620, so that this session of the Legislature may have a veteran's program that will be beneficial to the farm and business phases that are so sorely needed under the veterans bill.

The PRESIDENT. The remarks of the gentleman from Allegheny will be noted in the Legislative Journal.

REPORTS FROM COMMITTEES

Mr. CRIDER, from the Committee on State Government, reported as committed, House Bill No. 216, entitled:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation

He also, from the Committee on State Government, reported as committed, House Bill No. 1057, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase,

gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," regulating manner of applying for and receiving grant or funds from the Federal and State Government or of any instrumentality thereof.

He also, from the Committee on State Government, reported as committed, House Bill No. 1084, entitled:

An Act to abolish the Pennsylvania Post-War Planning Commission; and to repeal the act by which it was created.

He also, from the Committee on State Government, reported as committed, House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and re-appropriating the unexpended balance of the appropriation.

He also, from the Committee on State Government, reported as amended, House Bill No. 771, entitled:

An Act to further amend section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year

Mr. FARRELL, from the Committee on Local Government, reported as committed, House Bill No. 314, entitled:

An Act to further amend sections five and six of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by requiring all city, county or other public employees whether paid a per diem wage or otherwise, to become members of the pension system of such city, and removing optional rate of contribution.

Mr. DONLAN, from the Committee on Local Government, reported as committed, House Bill No. 263, entitled:

An Act relating to firemen's pension funds in cities of the second class A, and directing such cities to appropriate certain moneys thereto.

He also, from the Committee on Local Government, reported as committed, House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

Mr. SCARLETT, from the Committee on Finance, reported as committed, House Bill No. 1110, entitled:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions.

Mr. DOEHLA, from the Committee on Local Government, reported as committed, Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2629), entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of the cities of the second class,' establishing a department of lands and buildings in said cities; providing for its officers and employees; defining the powers, duties and jurisdiction of said department, and in certain cases transferring the same from existing departments," by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings, and that such jurisdiction may be alternative to the jurisdiction of the department of public works, as shall be determined by the council of such cities.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties

Mr. BARR, from the Committee on Local Government, reported as committed, House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class; prescribing the rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with and to accept grants from the Federal Government, State political subdivisions of the State, or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

Mr. BARR. Mr. President, from the Committee on Finance, I wish to report Senate Bill No. 713, with the request that Senator Dent's name be added with that of Senator Geltz's name as co-sponsor.

Mr. BARR, from the Committee on Finance, reported as committed, Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis; providing for its appointment; authorizing the employment of necessary assistants; prescribing the powers and duties of the commission; and making an appropriation.

Mr. LETZLER, from the Committee on Finance reported as committed, Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10, of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," validating certain expenditures.

He also, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 632, entitled:

An Act to amend section nine of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681), Entitled "An act relating to, and regulating the manufacture, storing and possession of explosives; requiring permits for magazines, and prescribing permit fees; and providing penalties," increasing the minimum and maximum limits of license fees.

Mr. T. NEWELL WOOD on behalf of Mr. WADE, from the Committee on Finance reported as committed, Senate Bill No. 363, entitled:

An Act to amend further the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor

or creditor of the Commonwealth," as amended, by changing the method of accounting for advances out of appropriations at the end of a biennium.

Mr. WAGNER, from the Committee on State Government, reported as committed, Senate Bill No. 585, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by transferring certain institutions, boards, employees, functions, powers and duties from the Department of Welfare to the Department of Health.

He also, from the Committee on State Government, reported as committed, House Bill No. 1091, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," as amended, by amending Sections 220 and 2413, and adding new Sections 526 and 701 (1), authorizing and directing the Governor to prescribe the filing system to be adopted by each department, board and commission, and to direct, subject to approval by the Executive Board, what records shall be preserved by photographic process, and what assignment and utilization shall be made of space in the Capitol buildings.

He also, from the Committee on State Government, reported as committed, House Bill No. 884, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) and prescribing a limitation period within which such petitions must be filed.

He also, from the Committee on State Government, reported as amended, House Bill No. 426, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases, and providing for the payment of such taxes by the Commonwealth or the agency thereof.

Mr. WALKER, from the Committee on State Government, reported as amended, House Bill No. 393, entitled:

An Act to amend sections two and five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sales of fruits and vegetables in original unbroken standard containers; imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties," further regulating such weights and measures; and increasing penalties.

Mr. LORD, from the Committee on State Government, reported as committed, Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

He also, from the Committee on State Government, reported as committed, House Bill No. 810, entitled:

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and em-

ployes of certain departments boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes.

He also, from the Committee on State Government, reported as committed, House Bill No. 871, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth, and prescribing a limitation period within which such petitions must be filed.

He also, from the Committee on State Government, reported as committed, House Bill No. 919, entitled:

An Act to amend section four hundred fifty-one of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative department, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," changing the membership of the State Planning Board.

Mr. LANE, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 471, entitled:

An Act requiring operators, political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage; conferring powers and imposing duties on the Department of Mines; prescribing penalties; and making an appropriation.

Mr. ROSENFELD, from the Committee on Finance, reported as committed, Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation', approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

Mr. STIEFEL, from the Committee on State Government, reported as committed, Senate Bill No. 709, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain

funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "accumulated deductions," and further regulating withdrawal and payments thereof.

He also, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 1173, entitled:

An Act to amend the title of and the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties.

Mr. WOODRING, from the Committee on Local Government, reported as committed, House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto,"

changing the provisions thereof authorizing the levy and collection of taxes.

Mr. KLEIN, from the Committee on Local Government, reported as amended, House Bill No. 759, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

He also, from the Committee on Local Government, reported as amended, House Bill No. 1035, entitled:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

Mr. MAHANY, from the Committee on Local Government, reported as committed, House Bill No. 673, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

Mr. DENT, from the Committee on Local Government, reported as committed, Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 761, entitled:

An Act to amend section three of Article VIII of the act, approved the twenty-first day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of examining board members.

BILL REPORTED FROM COMMITTEE

Mr. WILSON. From the Committee on Constitutional Changes and Federal Relations, a committee of fifteen members I report House Resolution No. 27, which was passed by the House without amendment. In doing this I feel just two or three words of explanation would be in order to call to your attention that this is a resolution and not a bill and it is in the form of a memorial introduced by Mr. Leisey and Mr. Erb on March 17, 1947, reported from the Committee on Rules as committed by Mr. Fiss on March 24, 1947 and unanimously adopted by the House on March 25, 1947.

The Senate members, at least fourteen out of the fifteen, in a little meeting that we had, directed me to report this bill as committed.

HOUSE CONCURRENT RESOLUTION REPORTED FROM COMMITTEE

Mr. WILSON from the Committee on Constitution Changes and Federal Relations, to which was referred on March 26, 1947, the following resolution from the House of Representatives reported the same without amendments as follows, viz:

ST. LAWRENCE SEAWAY AND POWER PROJECT

In the House of Representatives, March 18, 1947.

Whereas, The St. Lawrence Seaway and Power Project will produce no practical benefits for the people of the two countries it is designed to serve; and

Whereas, The General Assembly and the citizens of this State are greatly concerned about the effect the completion of this project would have upon them; and

Whereas, The construction of the project would burden the taxpayers of this Commonwealth, and the United States, with an initial sum estimated at from \$543,000,000 to \$1,350,000,000, and experience in similar public works would indicate that this project would cost much more; and

Whereas, Existing facilities, the Welland Canal, which by-passes Niagara Falls, and the Great Lakes Channels, amply provide for the present lake traffic. The railroads on both sides in the United States and Canada have demonstrated that they are prepared to handle all through traffic offered; and

Whereas, With its channels closed to navigation for about five months of the year, due to ice and weather conditions, it would be unreasonable to expect the railroads to perform the required service during the period that navigation is closed and to be in a position to handle the peak load. The railroads would be required to maintain equipment that would be idle or little used for sixty per cent of the time, and have the added problem of maintaining the personnel organization. Great numbers would have to seek employment elsewhere while tonnage was moved by government subsidized competitors. This situation would great affect the ports of Erie and Philadelphia; and

Whereas, Sea-going boats cannot travel this great distance for nothing, and the saving in transportation costs would be exceedingly small, if any; and

Whereas, It would be disastrous to Great Lake shipping, injurious to American rail, highway and inland water-

ways services, and seriously harmful to the American coal and iron ore industries; and

Whereas, Electrical energy that would be generated could only be used at nearby points, and it has been demonstrated that the cost of transmission over long distances greatly exceeds that generated locally; and

Whereas, Such an agreement, if ratified, would reduce the exportation of manufacturing, mining and agricultural products of this Commonwealth, and result in loss of employment and contribute to increased taxation; therefore be it

Resolved (if the Senate concurs), That the General Assembly of Pennsylvania hereby memorializes the Congress of the United States not to approve the agreement for the construction of the St. Lawrence Seaway and Power Project; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

Laid over for one day under the Rules.

BILLS INTRODUCED AND REFERRED

Mr. MAHANY read in his place and presented to the Chair, Senate Bill No. 767, entitled:

An Act to further amend section three of the act, approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make last will, and enabling them to testify against each other in certain cases," authorizing a married woman to become, either alone, or jointly with her husband or other persons, accommodation endorser, making, guarantor, or surety for another.

Which was committed to the Committee on Judiciary General.

Messrs. LLOYD H. WOOD and WATSON read in place and presented to the Chair, Senate Bill No. 768, entitled:

An Act to repeal sections two and three of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635) entitled, "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

Which was committed to the Committee on State Government.

Mr. WAGNER read in his place and presented to the Chair, Senate Bill No. 769, entitled:

An Act to further amend clause (a) of section three hundred eight of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance

board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation; and prescribing penalties," fixing the liability of the Commonwealth for payment of part of the compensation for disability or death from certain occupational diseases.

Which was committed to the Committee on Labor and Industry.

Mr. STEVENSON read in his place and presented to the Chair, Senate Bill No. 770, entitled:

An Act providing for equalization of assessed valuations of real property throughout the Commonwealth for use in determining the amount and allocation of Commonwealth subsidies to school districts; creating a State Tax Equalization Board, and prescribing its powers and duties; imposing duties on certain local officers, agents, boards, commissions and departments; and making an appropriation.

Which was committed to the Committee on Education.

Mr. FRAZIER. Mr. President, this may be the last bill I will introduce in this session, and I am very happy on this auspicious occasion—they say coming events cast their shadows before and maybe some day the acting President pro tempore may some day be—Mr. President, introduce a bill.

Mr. FRAZIER read in his place and presented to the Chair, Senate Bill No. 771, entitled:

An Act to further amend section seven and to amend section eight of the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that any number of items, held by any administrator or executor, trustee, fiduciary, depository of the court, receiver or other officers of the court which are escheatable, may be joined in one action of escheat, and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held, and further providing that the Attorney General or any other person, authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property, shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator; and further providing that the court may make orders relative to advertising and notice of the proceedings, whether the escheatable property is real or personal.

Which was committed to the Committee on Judiciary General.

Mr. RAHAUSER read in his place and presented to the Chair, Senate Bill No. 772, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over Butter-nilk Run on State Highway Route 837 in the City of Duquesne, Allegheny County; to acquire by purchase or condemnation land and structures therefor and making an appropriation out of the Motor License Fund.

Which was committed to the Committee on Highways.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor:

MEMBERS OF THE PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate B. Frank Morgal, 515 Devon Road, Camp Hill, Cumberland County, for reappointment as a Member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1957; also John B. Conly, 7248 Penn Avenue, Pittsburgh, Allegheny County, for appointment as a Member of the Pennsylvania Public Utility Commission, for the residue of the term ending April 1, 1949, vice Ralph W. Thorne, Williamsport, deceased.

JAMES H. DUFF

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. KEPHART and Mr. CARR, To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KEPHART and Mr. WALKER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I would like to take a moment of the time of the Senate to commend the Governor for having appointed a new member to the Public Utilities Commission, whose name is now before us. It is my pleasure to have known Honorable John Conly throughout my lifetime, although we have always been on opposite sides politically, but he has always been a gentleman whose character has been beyond reproach and I say to the members of the Senate that I think he will augment the Public Utilities Commission and I ask my colleagues to joint in confirming his nomination.

Mr. RAHAUSER. Mr. President, for many years I was a resident of Franklin county, the home of B. Frank Morgal. Since my early childhood I recall Mr. Morgal as one of the hard-working young men of that community, and it is with sincere pleasure that I say to this Senate that he is one of the most honorable, hard-working gentlemen I have known in my lifetime, and it is a great pleasure and honor for me to vote for his confirmation this afternoon.

Mr. JASPAN. Mr. President, I join with my colleagues in voting for the confirmation of these two gentlemen.

However, I hope they do not forget the interests of the consumer. Too many men have been appointed in the past.

particularly during the past eight years, who eventually have forgotten the consumer and have been tied up more or less with the utilities.

I will say, nevertheless, that I have confidence in Senator Walker, Senator Barr and Senator Rahauser, and I ask for the confirmation of these two appointees, hoping they will not forget the consumer, the man that pays.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stiefel,	Wood, L. H.,
Doehla,	Lane,	Stevenson,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. BLASS. Mr. President I second the motion.

The motion was agreed to.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 601, entitled

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 601

Mr. WALKER. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 601.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

FINAL PASSAGE CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on final passage, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 503, on third reading entitled:

An Act to amend, or further amend, sections eight hundred six, eight hundred eight, and eight hundred thirty of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 56, as follows:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day

of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the acts approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 505) and the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 705) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred (100) teachers and not more than one hundred and thirty-five (135) teachers under his supervision shall have one assistant county superintendent provided the county had one assistant county superintendent as of the first day of July one thousand nine hundred forty-six Every county superintendent having more than one hundred and thirty-five (135) and not more than four hundred and fifty (450) teachers under his supervision shall have one assistant county superintendent Every county superintendent having more than four hundred and fifty (450) but not more than nine hundred (900) teachers under his supervision shall have two assistant county superintendents Every county superintendent having more than nine hundred (900) teachers under his supervision shall have one additional assistant county superintendent for each additional five hundred teachers or fraction thereof but no county superintendent shall have more than five assistants In addition to the assistant county superintendents herein provided for in each county in which there are 550 or more teachers under the supervision of county superintendent there shall be appointed at least one supervisor of special education and in each county in which there are fewer than 550 teachers under this supervision of the county superintendent there shall be appointed a part-time supervisor of special education who shall serve jointly in two or more counties except in the case of a county which employs fewer than 550 teachers and is not adjacent to any other employing fewer than 550 teachers in which case a full-time or a part-time supervisor of special education shall be appointed In no instance shall such supervisor of special education serve in more than three counties The State Council of Education shall have power and it shall be their duty to determine the counties which shall be served jointly by a joint supervisor of special education The time of the joint supervisor counties on the basis of the number of teachers under the of special education shall be apportioned among the several supervisors of the county superintendent in each county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridler,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 57, on third reading, entitled:

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and necessary land and buildings dedicated to park purposes.

go over in its order.

The PRESIDING OFFICER. It there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 100, as follows:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 163) is hereby further amended to, read as follows

Section 4 During the lifetime of the said person he or she shall be entitled to receive a pension from the fund set aside for the purpose fifty per centum of the amount which would constitute the average rate of pay at which he or she was employed during the last five years of his or her employment by the said city Said pension shall be paid in monthly payments Provided That if any pension be granted to a person who has not been a contributor to the pension fund as herein provided during a period of twenty years such person shall be required to pay into the board of pensions monthly an amount equal to not less than two nor more than four per centum of

his or her pension until such time as his or her contribution shall have extended during a period of twenty years should any person be dismissed for reasons other than misconduct after having served as an employe for fifteen years or more but less than twenty years such employe shall have the right to elect to keep in the fund all contributions heretofore made to the fund and to continue making monthly payments to such fund in an amount equal to the amount last due and paid monthly while an employe when such payments continue until the former employe has contributed to the fund for a total of at least twenty years or until reaching the age of retirement whichever is the longer Such person shall be entitled to receive a pension proportional to the pension which would have been received had the employe completed twenty years of service prior to dismissal Such proportion to be computed on the ratio which the employe's actual time of service in months bears to twenty years Should any person so employed after twenty years of service be dismissed voluntarily retire or be in any manner deprived of his or her position or employment before attaining the age fixed for retirement by this act upon continuing a monthly payment to the fund equal to the last amount due and paid monthly while in active service said person shall be entitled to the pension above mentioned notwithstanding he or she has not attained the age for retirement at the time of his or her separation from the service of such city but said pension shall not commence until he or she has attained such age Provided That any employe who has heretofore or shall hereafter be dismissed and who has been in the service of the city for a period of twenty-five (25) years or more and who has made payments into the pension fund for a period of twenty (20) years or more and who has reached the age of fifty (50) years shall upon application to the board of pensions receive the pension or compensation fixed by this act during the remainder of his or her life Should any employe however become totally and permanently disabled after fifteen years of service he or she shall be entitled to the said pension Provided That if any employe who has served less than fifteen years becomes totally and permanently disabled by reason of injury sustained in the actual performance of duty such employe shall be entitled to the said pension Proof of total and permanent disability shall consist of the sworn statement of three practicing physicians designed by the board that the employe is in a permanent condition of heal which would totally disable him or her from performing the duties of his or her position or office Once a year the board of pensions may require a disability pensioner to undergo a medical examination by three physicians appointed by the board and should such physicians thereupon report and certify to the board that such beneficiary is no longer incapacitated and should the pension board concur in such report the pension to such beneficiary shall be discontinued The pension paid to any one employe shall not be less than seventy-five dollars nor exceed one hundred and twenty-five dollars per month and shall not be computed on rate of pay in excess of two hundred and fifty dollars per month In the event of the death of any person receiving a pension under this act there shall be paid to the heirs or to the estate of such deceased person a lump sum representing the difference if any between the total contributions paid into the pension fund by him or her as an employe and the total pension payments received by him or her during his or her lifetime but such lump sum shall be paid only when such total contributions exceed the total pension payments made

Section 2 Section five of said act as last amended by the act approved the twenty-sixth day of April one thousand nine hundred thirty-three (P. L. 81) is hereby further amended to read as follows

Section 5 The city employes shall after the passage of this act pay unto the board of pensions monthly an amount equal to not less than two nor more than four per centum of their monthly salaries or wages as fixed by the board of pensions in no event however paying at a rate

greater than ten dollars per month which shall be applied to the purposes of this act Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary received the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary received the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such person shall be required to pay unto the board of pensions an amount equal to not less than two nor more than four per centum of his or her monthly pension until such time as his or her contributions shall have extended during a period of twenty years If for any cause an employe contributing to the pension fund shall cease to be an employe of any such cities of the second class before said employe becomes entitled to the pension conferred by this act the total amount of the contribution paid unto the pension fund by such employe shall be refunded to him or her in full without interest unless he or she has less than full pension rights under the provisions of section four of this act and elects at once to exercise such rights by keeping such contributions in the fund and making such further payments as employe shall have returned to him or her the amount may be required Provided however If any such contributed as aforesaid and shall afterwards reenter the employ of such city said employe shall not be entitled to the pension designated until twenty years after said reemployment unless he or she shall return to the pension fund the amount withdrawn in which event the period of twenty years shall be computed from the time the said employe first entered the service of said city In the event of the death of any such employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the estate of the said deceased employe or to his or her heirs

Section 43 Section six of said act as amended by the act approved the first day of August one thousand nine hundred forty-one (P. L. 748) is hereby further amended to read as follows

Section 6 (a) Should any person holding position in said cities of the second class as laborer at a per diem wage he or she shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing at any time within six months after the date of their employment and in that event only of becoming entitled to the pension provided by this act

(b) Every new full time employe except as provided in subsection (a) of this section shall after serving a ninety (90) day probation period be required to join the pension fund and shall thereafter make contributions to such fund as provided in section five of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Vade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridder,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,

Donlan, Leader, Tallman, Woodring,
Farrell, Letzler,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 204, as follows:

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Appeals to the Superior and Supreme Courts in all proceedings from the sentence judgment decree or order of any lower court or from an order or adjudication of any administrative agency of the Commonwealth and all appeals from the Superior Court to the Supreme Court now or hereafter provided by law shall be taken within forty-five days of the entry of such sentence judgment decree order or adjudication irrespective of the time fixed for or limitation placed upon the right to appeal if any in any such law providing for an appeal

Section 2 The limitation of forty-five days for appeals provided for by this act shall apply only to appeals from any proceeding in which the sentence judgment decree order or adjudication shall have been entered on or after the effective date of this act

Section 3 All acts or parts of acts in so far as the same are inconsistent with the provisions of this act as to the time fixed for or limitation placed upon the right to appeal are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homscher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 217, as follows:

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" are hereby amended to read as follows

Section 2

* * * *

(d) The designation of a limited access highway in a city by either the Secretary of Highways or by the commissioners of the county in which the city is located shall be subject to the approval of the city as evidenced by an ordinance duly passed in accordance with the law Such approval by a city shall in no way impose any liability upon the city for property damages occasioned by the designation of a limited access highway

Section 8 [The taking of private property and the payment of damages therefor in the construction or designation of a limited access highway or local service highway by the Secretary of Highways shall be in the same manner as now or hereafter provided by law for the relocation or widening of State highways] For the purpose of constructing limited access highways local service highways or intersection streets or roads the Secretary of Highways is hereby empowered to take property and pay damages therefor as herein provided In townships such property shall be taken and damages paid therefor in the same manner as now or hereafter provided by law for the relocation or widening of State highways in boroughs The owner or owners of private property affected by the construction or designation of a limited access highway or local service highway or by a change of the width or lines of any intersecting streets or roads shall be entitled only to damages arising from an actual taking of property The Commonwealth shall not be liable for consequential damages where no property is taken Provided however That the Secretary of Highways shall have authority to enter into agreements for the sharing of the cost of property damages with the officials of any political subdivision of the Commonwealth which assumes such responsibility by proper resolution or ordinance The taking of private property and the payment of damages therefor by the authorities of any political subdivision of the Commonwealth shall be in the same manner as now or hereafter provided by law for the relocation or widening of highways by the political subdivision in which such highway is located

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 233, as follows:

An Act to further amend Section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2124) is hereby further amended to read as follows

Section 504 Plans of Subdivisions Jurisdiction Scope of Subdivisions Regulations Procedure Penalties The County Planning Commission shall have jurisdiction and control of the subdivisions of land located within the county limits For the purpose of this section a subdivision shall be construed to be a division of any part parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels three or more in number for the purpose or conveyance transfer improvement or sale with appurtenant roads streets lanes alleys and ways dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon [All plans of streets or highways for public use and all] All plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within any city or borough within the said counties shall be submitted to the County Planning Commission if one has been created and approved by it before they shall be recorded And it shall not be lawful to receive or record any such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission if one has been created The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of

any such dedicated [lots] streets highways alleys or other portions of the same until the proper authorities of the county shall have made actual appropriation of the same by entry use or improvement The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans maps and reports of the commission affecting such property within its jurisdiction Any owner or agent of the owner of any land located within a subdivision who sells transfers or agrees to sell any land by reference to or exhibition of or by other use of a plan of a subdivision before the same has been approved by the County Planning Commission shall upon summary conviction thereof before any alderman or justice of the peace of the county be sentenced to pay a fine of not less than fifty dollars (\$50) or more than one hundred dollars (\$100) and the cost of the prosecution or undergo an imprisonment for a term of not more than thirty days for each lot or parcel transferred or sold or agreed to be sold and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided Counties may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction in addition to the penalty herein provided

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Snowden,	Wagner,
Chapman,	Holland,	Rahausen,	Walker,
Crider,	Homsher,	Rosenfeld,	Watson,
Crowe,	Jaspan,	Ruth,	Wilson,
Dent,	Kephart,	Scarlett,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 272, on third reading, entitled:

An Act to further amend sections one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the period before which temporary professional employees may become professional employees

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 285, on third reading, entitled:

An Act to further amend section seven of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings by owners and occupants thereof including political subdivisions imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania State Police and the enforcement of its orders and prescribing penalties" by further imposing duties on certain school authorities

be recommitted to the Committee on Education.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 344, on third reading, entitled:

An Act to amend section four of the act approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foreman, and fire bosses; providing a penalty for forging or making false statements regarding certificates," changing compensation of board members.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 373, on third reading, entitled:

An act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary

powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to account debtors and the effects thereof respectively

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 432, on third reading, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 445, as follows:

An Act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of May one thousand nine hundred twenty-five (P. L. 438) is hereby further amended to read as follows

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institutions for the care or training of orphans or other children shall permit any children who who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition textbooks or school supplies as the directors of the district in which such institution is located may determine If a charge is made by any school district for tuition for the inmates of any such institution the officers of the institution shall submit to the board of school directors a sworn statement setting forth the names ages and school districts liable for tuition of all children who are inmates thereof and desire to attend public school in the district together with a blank acknowledging or disclaiming residence signed by the secretary of the school district in which the institution declares the legal residence of the child to be If said district shall fail to file said blank with said institution within fifteen days from the date it is sent to the district by the institution by registered mail the institution shall again notify said district of its failure to comply with the provisions of this act and if the district shall fail to comply within fifteen days following this second notice said failures to return the blank shall be construed as an acknowledgement of said child's residence If any of said inmates have been received from outside of Pennsylvania [or if the institution cannot certify as to their residence] their tuition shall be paid by the institution having the care or custody of said children If the Superintendent of Public Instruction decides that the legal residence of any of said inmates is in Pennsylvania but cannot be fixed in a particular district the Commonwealth shall pay the tuition of such inmate out of moneys appropriated to the Department of Public Instruction by the General Assembly for the maintenance and support of the public schools of the Commonwealth The tuition of such other inmates as are included in the sworn statement to the board of school directors shall be withheld by the Superintendent of Public Instruction from any moneys due to the district liable for said tuition upon receipt of a sworn statement setting forth the names ages tuition charges and school district liable for tuition of said inmates and all moneys thus withheld shall be paid by him to the district entitled to receive the same The district so charged with tuition may file an appeal with the Superintendent of Public Instruction in which it shall be the complainant and the institution the respondent The decision of the Superintendent of Public Instruction as to which of said parties is responsible for tuition shall be final

The cost of tuition in such cases shall be fixed as is now provided by law for tuition costs in other cases except where for the accommodation of such children it shall be necessary to provide a separate school or to erect additional school buildings in which cases the charge for tuition for such children may include a proportionate cost of the operating expense rental and interest on any investment required to be made in erecting such new school buildings The tuition herein provided for shall be paid annually by the Superintendent of Public Instruction or the institution as the case may be

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 470, as follows:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of new State highway routes in certain cases providing for their laying out opening construction reconstruction and maintenance at the expense of the Commonwealth and making an appropriation

Section 1 Whenever in the opinion of the Secretary of Highways the laying out opening and construction of the highways hereinafter described will facilitate the movement of vehicular traffic or relieve traffic congestion on the State Highway System the Secretary of Highway with the approval of the Governor shall have authority to lay out and take over as State highway routes such highways in accordance with the following descriptions

(1) Beginning at a point on Route 507 north of Shiremanstown thence in a general easterly direction in Cumberland County to the Dauphin County line in or near Lemoyne thence easterly in Dauphin County to an intersection with Route 139 Spur

(2) Beginning at a point on Route 1 near Rockville thence in a general southeasterly direction in Dauphin County crossing Route 140 and 139 east of Harrisburg to a point on Route 129 southeast of Middletown

(3) Beginning in the City of Easton at the approach to the toll bridge leading to Philipsburg New Jersey thence westerly in Northampton County to a point near Brodhead thence southwesterly in Northampton and Lehigh Counties to a point on Route 443 and by spur from

a point near Brodhead northwesterly in Northampton County to a point on Route 471 west of Bath

Section 2 The laying out of a new State highway route under the provisions of this act shall be by a plan prepared by the Department of Highways approved by the Governor and filed in the office of the Recorder of Deeds of the proper county at the expense of the county or counties wherein such highway is located and thereafter such highway shall be a part of the system of State Highways to be constructed and maintained by the Department of Highways at the expense of the Commonwealth.

Highways laid out under the provisions of this act may traverse existing streets and roads including existing State highway routes

Section 3 The opening construction reconstruction and maintenance of highways laid out under the provisions of this act shall be done by the Department of Highways in accordance with the provisions of present or future laws governing the relocation widening construction reconstruction and maintenance of State highways and the opening construction or reconstruction may be done in sections

Section 4 Where any new highway laid out under the provisions of this act approximates the location of an existing State highway route the existing State highway route may be replaced or relocated to the new highway

Section 5 So much of the money in the Motor License Fund as may be necessary from time to time to carry out the provisions of this act is hereby specifically appropriated to the Department of Highways

Section 6 This act shall be effective immediately upon its final enactment

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I would like to interrogate the chairman of the Committee on Highways, Mr. Snowden.

The PRESIDING OFFICER. Will the gentleman from Lycoming permit himself to be interrogated?

Mr. SNOWDEN. I will, Mr. President.

Mr. BARR. Mr. President, understand I am not opposing this bill. Can the gentleman from Lycoming tell me, under this bill, if there is a bridge to be built at the south end of Harrisburg?

Mr. SNOWDEN. I think the bill does extend the privilege to the Highway Department of relocating certain routes and if a bridge is necessary I would say they have a right to build such a bridge.

Mr. BARR. Could the gentleman from Lycoming tell me approximately how far from the central part of the city of Harrisburg this bridge would be located?

Mr. SNOWDEN. I could not, Mr. President; I could not answer that.

Mr. BARR. I do not know if it is possible to interrogate the Chair, but maybe he could give me that information.

The PRESIDING OFFICER. If the gentleman from Allegheny desires, the Chair would yield to someone else in order to be interrogated.

Mr. BARR. Mr. President, could we be at ease for a moment?

(The Senate was at ease.)

Mr. BARR. From the information I can gather, there is an opportunity to build a bridge some place south of Harrisburg, and I also do know that Senator Wade and Senator Taylor have introduced a bill providing for a bridge to be built at the end of the by-pass, commonly known as Route 711.

It may be many years before this new road is accomplished, and I would like to vote for this bill, but I do not want to vote for it if it is going to knock out the north bridge, because we, two years ago, you will remember, passed quite a large appropriation which was thrown out by the Commonwealth Court.

We who come from the West are just a little bit tired of paying these tolls to reach the Capitol City of Harrisburg.

As I understand the bill presented by Senator Wade and Senator Taylor, it would be a free bridge at the end of Route 711. I further understand, Mr. President, that there are certain interests in the city of Harrisburg who are opposing the north bridge at the end of Route 711. I am fearful that when we pass Senate Bill 470, that we are going to be told "we gave you a new bridge in Harrisburg and therefore the Wade-Taylor Bill for a bridge at the north end of town will not be built."

Mr. President, if the Chairman of the Committee on Highways could tell me, I would like to know are we going to be able to discuss in committee a new bridge to be built at the end of the by-pass.

The PRESIDING OFFICER. Will the chairman of the Committee on Highways permit himself to be interrogated?

Mr. SNOWDEN. Mr. President, I do not believe anyone can answer that question intelligently right now. This bill here, as it is drafted, permits the Highway Department to survey and lay out a new route to eliminate this bottleneck on the other side of the river. Whether they go north or go south, there is no restriction, but I presume that will have to depend on the honesty and integrity of the Highway Department to lay out a convenient and the cheapest route and a route that would be most convenient to people coming off the pike, as well as people on the West Shore.

Therefore, to answer the question of the gentleman from Allegheny intelligently, I do not think anyone can today say where this bridge would be built.

Does that answer the question of the gentleman from Allegheny?

Mr. BARR. Mr. President, the bridge is definitely located in Senate Bill 470. I am speaking about the bridge which you and Senator Taylor have in a bill, to be built at the end of the by-pass.

The PRESIDING OFFICER. Does the gentleman from Allegheny, Senator Barr, wish to interrogate someone?

Mr. BARR. I am very serious about this, Mr. President. I do not like to interrogate Senator Taylor on this matter. I wish Senator Taylor would take the Chair for a moment and the Presiding Officer, Senator Wade, come down on the floor and permit me to ask him a couple of questions.

The PRESIDING OFFICER. At the request of the President pro tempore, the Chair yields to the gentleman from Delaware, Senator Heyburn.

The PRESIDING OFFICER (Weldon B. Heyburn)
in the Chair.

The PRESIDING OFFICER. (Mr. Heyburn) The Chair recognized the gentleman from Allegheny, Senator Barr.

Mr. BARR. Mr. President, I would like to ask the Senator from Cumberland, Mr. Wade, whether in his opinion under Senate Bill 470, the location of this bridge is definitely set in this bill; am I correct.

Mr. WADE. That is correct.

Mr. BARR. Senator Wade, do you think if we pass this bill, that in turn will end all bridges for Harrisburg at this session?

Mr. WADE. It does not necessarily follow, Mr. President, that this precludes the possibility of considering other legislation which is now before the Senate, or, at least before a Senate committee.

Mr. BARR. Mr. President and members of the Senate, at my leisure I sometimes read the Harrisburg papers, and I have read editorial after editorial in favor of a bridge to be located at the bottom of the by-pass, commonly known at Route 711. I am fearful, from what information I can gather from inside the Senate and outside the rail, that this bill is being passed in lieu of building this bridge which will be a nontoll bridge. I asked the Chairman of the Committee on Highways if he was going to consider the Wade-Taylor bill and I am fearful, or maybe happy, to say I did not get any answer—he told me he did not know where this bridge was going to be built.

I read in the bill, Page 2, starting at Line 4, which says "beginning at a point on Route 507 north of Shiremanstown, then in a general easterly direction in Cumberland county to the Dauphin county line in or near Lemoyne, then easterly in Dauphin county to an intersection with Route 139 spur."

Mr. President, that is very much south of the city and it will not alleviate the situation as we have it now with the Market street and Walnut street bridges.

Mr. President, two years ago we appropriated the sum of five or seven million dollars for the taking over of these toll bridges and that appropriation was disallowed by the Commonwealth Court. I think that money could be spent to build a free bridge into the capital town of Harrisburg, and I again say I am very fearful, if we pass this bill, that the Taylor-Wade bill providing for a bridge at the bottom of the by-pass is finished because I do know of certain interests in this town who have money invested and take profits, particularly from the Market Street Bridge, who are opposed to the Taylor-Wade bill, which provides for a new bridge at the end of the by-pass.

Mr. WADE. Mr. President, if the gentleman from Allegheny did not get the answer to his question it was not because I personally wished to be evasive regarding the provisions in Senate Bill 470.

The bill provides for an overall relocation of highways in Pennsylvania and then, under Section 2, it provides for relocation of the road that starts in Cumberland county—Page 2, Line 4—crosses the river on what is known as the lower bridge and arrives at point in Dauphin county near the road that goes to Hershey. At the same time it provides for another road to start north of Harrisburg and circumvent Harrisburg, meeting the road formerly mentioned and going south towards Lancaster.

This bill is the result of a highway count lasting three days, in which they stopped and questioned the drivers of some 93,000 cars, and it developed in that destination and origin survey that a bridge south of Harrisburg would relieve the traffic very much in and around the congested part of the city, and the reason for that was on account of the building of the Mechanicsburg Naval Depot in

the last half dozen years, which now employs about eighteen thousand people.

Prior to that time, and perhaps the thing that affected the traffic situation most, was the building of the Pennsylvania Turnpike, which stops at a point in Cumberland county known as Middlesex. Since that road was built, the road from here to the end of the turnpike has been made a three-way road and very much improved over what it was formerly but that has increased the traffic situation very much. Mr. President, this traffic count, origin and destination count, has revealed that this lower bridge would relieve traffic more than an upper bridge.

Mr. President, I might say for myself, and I think this goes for Senator Taylor also, that if we personally would express our choice as to location of the bridge, we would prefer, or at least I would prefer the upper bridge—Senator Taylor joins me—we would prefer the upper bridge, but this bridge is more practical and will relieve the traffic situation more, and therefore, because we represent our districts, and try to represent them well, we must be for the lower bridge, regardless of our personal feelings.

Mr. HALUSKA. Mr. President, it has been my pleasure to have been a member of the Committee on Highways ever since I have been in this chamber, and the chairman of that committee I have found to be a man of honesty and sincerity. Throughout my tenure of office, I have gone to him and told him of my interests in certain pieces of road in the county of Cambria, and Mr. Snowden, the gentleman from Lycoming, informed me that he had taken the position that if any counties were given any roads he cared not for party affiliation, he would do his utmost and make certain that each and every Senator would be duly recognized. These roads are not political roads; they are highways serving the people of our Commonwealth.

I attended the last meeting when the bill we are speaking on now came out of committee. I do not know whether the chairman of that committee is in favor of the bill or not—I would say not. However, as a good chairman of any committee, the bills were placed before the committee and the members of that committee acted and brought these bills out.

The gentleman from Warren, Dr. Chapman, has tried for a number of years to influence the members of the committee on Highways in the interests of the county of Warren where he is very much interested, as I recall, in a certain bridge being taken over, in the same manner as I am interested in the county of Cambria, and both of us agreed to sponsor, together, by next Monday, an important piece of legislation concerning a road in the county of Cambria and the highway the gentleman from Warren has in mind in the county of Warren.

If we are going to show partiality, I think let us show it to all. I think it is very unfair, Mr. President, that since 1937, we have stood fast and the Governor has taken the position, since Governor James and up to the present time, that no highways shall be taken over until they see fit.

I can not quite understand why at this time we find these bills on the calendar, why the gentleman from Cumberland has been given any special privileges, and he has been given special privileges by placing this

bill upon the calendar. His highway is no more important than any other highway in this Commonwealth. Each and every man sitting in this chamber, I know, has certain pieces of highway that he would like to have taken over by this Commonwealth.

Therefore, Mr. President, I am going to vote for this bill with one thought, that when my bill, sponsored by Dr. Chapman and myself, and his bill, goes into the Committee on Highways, that we also be shown the same consideration as was shown to the gentleman from Cumberland county.

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDING OFFICER. Will the gentleman from Cumberland permit himself to be interrogated.

Mr. WADE. I will, Mr. President.

Mr. JASPAN. Mr. President, I desire to know how much money is involved in the laying out and the taking over of this particular road?

Mr. WADE. Mr. President, I do not think that anybody can give an honest answer to that question, or an intelligent answer to that question, perhaps I should say.

Mr. JASPAN. Can the gentleman from Cumberland give us an approximate idea as to the amount?

Mr. WADE. Yes, Mr. President. An approximate idea, which is only a guess on the part of the Highway Department, is that the bridge itself might cost from four to five million dollars.

Mr. JASPAN. Mr. President, how much money is on hand at the present moment for that purpose?

Mr. WADE. Mr. President, perhaps the answer to that question would be all of it, but I understand, to be a little more explicit, that there is an approximate balance of some fifty million dollars in the highway fund.

Mr. JASPAN. Mr. President, has that been earmarked or is it just in a general fund?

Mr. WADE. Yes, Mr. President. All highway funds are earmarked by constitutional amendment, passed by this Senate twice and voted upon by the people of Pennsylvania.

Mr. JASPAN. Have any funds been earmarked for this particular purpose?

Mr. WADE. None to my knowledge, Mr. President.

Mr. CHAPMAN. Mr. President and gentlemen of the Senate, I have opposed this bill for some time, as giving some of the Senators more mileage than others. This is a bill for the relocation of state highways. I have opposed this bill because I have in the borough of Warren two miles which to by-pass will cost about \$200,000 or \$150,000. At the end of that is a bridge that will cost half a million dollars.

I am having both of these bills prepared to introduce and I withdraw my opposition to this bill and I will expect a vote for my bills.

The congestion in Warren county is much more severe than in Dauphin county. This is a link that connects New York city with Chicago and the West and connects the Atlantic with the Pacific; this is a very important by-pass that we have.

Mr. Krause, who has made the same survey in Dauphin, Cumberland and Schuylkill counties, and so forth, spent six weeks in Warren, making this survey. He has all the plans.

Mr. President, I will introduce by bill with the hope that these same Senators will vote for my bill as soon as it is prepared.

Mr. BARR. Mr. President, from the information I can gather now and from what is going on here, we can kiss the bridge at the end of the by-pass good-bye. It will not be considered at this session of the Senate, I found out definitely, and I think Mr. Riley will be very happy.

Mr. WADE. Mr. President, in view of the statements of the gentleman from Warren, Senator Chapman, and the gentleman from Allegheny, Senator Barr, and the gentleman from Cambria, Senator Haluska, I might say that I should be very glad to vote for any bill they bring before the body of the Senate, whenever it provides that in the opinion of the Secretary of Highways he shall have the privilege of building that highway. I know they have bottlenecks, there are bottlenecks all over the state of Pennsylvania, unavoidable bottlenecks now, because we have not had the privilege of building highways for the last six or seven years and it is just natural that we find ourselves in this situation at this time and I have full sympathy, and I know Senator Taylor has full sympathy with all of them.

We would like, if possible, and I feel certain the Secretary of Highways feels that he would like to relieve every bottleneck in the highway system of the state of Pennsylvania tomorrow, if that were possible, but it just naturally follows that some project must be number one, and for some reason or other this was selected, and I think that was because it was the one on which the count was made, and there were only five or six counts made in the state of Pennsylvania. This one, according to the counts made, was the most vital in the state of Pennsylvania and therefore it was selected by the Highway Department. I might say further we were requested to introduce this bill; this is not of our own origin.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Becker,	Frazier,	Letzler,	Taylor,
Berger,	Geltz,	Lord,	Tyler,
Blass,	Haluska,	Mahany,	Wade,
Carr,	Hare,	Mallery,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Scarlett,	Watson,
Crowe,	Homsher,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, T. N.,
Doehla,	Klein,	Stiefel,	Wood, L. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—8.

Barr,	Jaspan,	Margie,	Tarr,
Dent,	Lane,	Rahauser,	Wilson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

The PRESIDING OFFICER. The Chair now calls to the rostrum the gentleman from Cumberland, Mr. Wade.

The PRESIDING OFFICER (Geo. N. Wade) in the Chair.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 493, on third reading, entitled:

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No 518, as follows:

An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage or dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organizations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned adding immediately after subsection eighteen which sub-with the estates of decedents" is hereby amended by section was added by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1037) a new subsection to read as follows

Section 41 (a) 1 Legal Investments for Fiduciaries

* * * * *

Subsection (18.1) Mortgages Guaranteed or Insured Under Servicemen's Readjustment Act Mortgage bonds or other obligations of one or more individuals guaranteed or insured under the provisions of the Federal Servicemen's Readjustment Act of one thousand nine hundred and forty-four its amendments and supplements and the rules and regulations promulgated from time to time pursuant to the provisions of said act At the date of the investment in any such mortgage the guaranty shall be in an amount not less than one-third of the sum invested therein or if an insured mortgage the insurance shall be in an amount not less than fifteen per centum thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays ere taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Wood, L. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 533, as follows:

An Act to further amend section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" authorizing conveyances of real estate by married woman to her husband or to her husband and herself without joinder of her husband

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" as amended by the act approved the seventeenth day of May one thousand nine hundred forty-five (P. L. 625) is hereby further amended to read as follows

Section 2 Hereafter a married woman may in the same manner and to the same extent as an unmarried person make any contract in writing or otherwise but she may not execute or acknowledge a deed or other written instrument conveying her real property unless her husband join in such conveyance Provided however That this section shall not be construed to apply to conveyances of real estate made by a married woman to her husband or to her husband and herself jointly

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING, AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, entitled:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page one, line 3 of the title by inserting after the word "of" the words "the American Democracy"; amend page 2, next to last preamble, line 2 of paragraph by inserting after the word "the" where it appears for the second time in said line, the words, "American Democracy our"; amend Section 1, page 3, line 2, by inserting after the word "the" where it appears for the second time in said line, the words "American Democracy our"; amend Section 1, page 3, line 4, by inserting after the word "the" the following words, "American Democracy our"; amend Section 1, page 3, line 5, by inserting after the word "the" the words, "American Democracy our"; amend Section 1, page 3, line 6, by inserting after the word "thereof" the following; "in comparison with economic systems in force under other forms of government"; amend Section 1, page 3, line 9, by inserting after the word "the" where it appears for the second time in said line, the words, "American Democracy our".

On the question,

Will the Senate agree to the amendments?

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Westmoreland.

The PRESIDING OFFICER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to inquire as to the amendment which was inserted on Page 3, Line 5. As I understand it, it was after the word "the" as it appears in the said line. The word "the" appears twice in the said line, and I want to know to which "the" this amendment applies.

Mr. DENT. The second one, Mr. President. There is an error in the amendment.

Mr. WALKER. Does it apply the second one, Mr. President? As I heard the amendment read, there was no designation as to which "the" it applies to.

Mr. DENT. There is an error there, Mr. President, and the amendment needs to be corrected.

Mr. WALKER. Mr. President, it does not say which "the"?

Mr. DENT. That is right.

Mr. WALKER. But it means the second one, is that right?

Mr. DENT. That is right. I will have it corrected.

Mr. President, in order to expedite matters, and so that there may be no confusion over the situation, all I am

attempting to do is to include in the bill the concept of our government that some of us adhere to, that is, some of us believe this to be an American democracy, whereas others would rather have it known as the American form of government. In order that we meet both schools of thought, I am now amending the bill so that, in every place where the bill originally contained the words "American Democracy", I have reinserted that clause. Where the bill was amended to read "the American government" or "American form of government," I allow that to remain in the bill. It would then read, as in the title, Page 1, that is, it would read, Line 3, "—more thorough understanding and appreciation of the American Democracy or American form of government"; in every instance in the bill where "American democracy" originally appeared, it will again appear, and in every instance in the bill where the words "American form of government" were inserted by the committee, they will be contained in the bill. I believe this is only fair to the school children who are to be taught.

The PRESIDING OFFICER. May the Chair suggest that the amendments are not clear and therefore the bill should go over in its order until the amendments can be properly prepared.

Mr. DENT. Mr. President, if the amendments will be returned to me, I am sure within two minutes I can put them in proper form and I will agree that the bill go over in its order until we get them in proper form.

Mr. TALLMAN. Mr. President, I want to say to the gentleman from Westmoreland that if he intends to correct the amendments and reoffer them, there will be objection on behalf of the sponsor of the bill to his doing it: I would object to these amendments if they were offered. I am going to make objection at this time and request that the bill go over in its order.

The PRESIDING OFFICER. There has been objection to the amendments being offered today on third reading and it has been requested that the bill go over in its order.

Mr. DENT. Mr. President, the amendments have been offered and I am only withdrawing them at the request of the Chair. As the gentleman from Lehigh says, it certainly comes in bad grace to object after permission is given. However, if that is the attitude to be taken, there is nothing I can do except to be steam-rolled by the juggernaut of the Republican Party.

The PRESIDING OFFICER. Permission was given to have the amendments read.

Mr. TALLMAN. Mr. President, I wish to assure the gentleman from Westmoreland that there is no effort here to deprive him of any right he may assume to have in the situation and I trust he will please accept, for what it is worth, that in requesting that the bill go over in its order, what I wanted to do was that he might have the opportunity to discuss with the sponsor of the bill between today and tomorrow the matter of his amendments. If that is objectionable, Mr. President, then I suggest that the gentleman from Westmoreland pursue his own course.

Mr. DENT. Mr. President, I think the last few remarks could very well have been left unsaid. For his information, I have already discussed with the sponsor of the bill the amendments. So far as pursuing my own course is concerned, I suggest to the gentleman the only course

I can pursue is the course dictated by the rules of the Senate.

Mr. TALLMAN. Mr. President, in order that the record may be straight, I want to say this, that the gentleman from Westmoreland has my apology, if he discussed these amendments with the sponsor. The sponsor just so informed me on the floor of the Senate just a few minutes ago, and I extend my apology to the gentleman from Westmoreland and withdraw all objection.

Mr. STEVENSON. Mr. President, the gentleman from Westmoreland, who had these amendments, talked with me here, but I did not sit down and see how they fitted into the bill, and for that reason I thought it would be well to let this bill go over in order until we can see how they apply to the different portions of the bill.

The main objective of this bill is to educate our people so that they might know the meaning of our form of government. Whether we call it an American democracy, or by what other name we call it, we all must realize that America is the last bulwark of free people and we are trying to educate our boys and girls so that they will know just what the meaning of our government is and so that they will not simply rely upon mere slogans or catch-words when it comes to discussion of the blessings and the privileges that we secure under our form of government.

I think the best thing to do is to permit this bill to go over in order until tomorrow, so that the Senator from Westmoreland and I may sit down and discuss this matter more at length.

The PRESIDING OFFICER. Request has been made by the gentleman from Lehigh Senator Tallman, and also by the gentleman from Clinton, Senator Stevenson, that Senate Bill 534 go over in order, with the understanding that the amendments offered by the gentleman from Westmoreland have been withdrawn.

AMENDMENTS WITHDRAWN

Mr. DENT. That is correct, Mr. President, for correction.

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 534, on third reading, go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 534, as follows:

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entirety and validating certain transactions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" as last amended by the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 53) is hereby further amended to read as follows

Section 1 Be it enacted etc That a conveyance release or sale may be made to or by two or more persons acting jointly and one or more but less than all of these persons acting either by himself or themselves or with other persons and a contract may be made between such parties

This section shall be construed as authorizing a conveyance of an interest in real property by either husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entireties and by husband and wife as tenants by the entireties to either husband or wife alone all such conveyances made and executed after the passage of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) are hereby ratified and confirmed and declared valid

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 569, as follows:

An Act to further amend section eleven of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases provided for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act mis-

demeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the compensation of district supervisors in counties of the first and second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the sixth day of August one thousand nine hundred forty-nine (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purpose of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 767) is hereby further amended to read as follows

Section 11 Each district parole office shall be in charge of a district supervisor who shall be appointed by the board with the approval of the Governor and who shall receive such annual salary for those where the district includes either a county of the first class or a county of the second class not exceeding six thousand dollars (\$6000) and for those in other districts not exceeding four thousand five hundred dollars (\$4500) as the board shall determine Said district supervisor shall be the executive head of the district office to which he shall be appointed and shall have the control management and direction of all employes of the board assigned to said district subject to the supervision of the board

Section 2 This act shall become effective on the thirty-first day of May one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 581, as follows:

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania

creating a State Public School Building Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "State Public School Building Authority"

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) "Authority" shall mean the body politic and corporate created by this act

(b) "Department" shall mean the Department of Public Instruction

(c) "Project" shall mean any structure facility or undertaking which the Authority is authorized to construct improve maintain or operate under the provisions of this act

(d) "Bonds" shall mean and include the notes bonds and other evidences of indebtedness or obligations which the Authority is authorized to issue pursuant to this act

(e) "Construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct in such manner as may be deemed desirable.

(f) "Improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve in such manner as may be deemed desirable

Section 3 State Public School Building Authority The Governor the Superintendent of Public Instruction the Secretary of Property and Supplies the President Pro Tempore of the Senate the Speaker of the House of Representatives and their respective successors in office are hereby created a body corporate and politic constituting a public corporation and governmental instrumentality by the name of the "State Public School Building Authority" Said members of the Authority shall be entitled to no compensation for their services as members but shall be entitled to reimbursement for all necessary expenses incurred in connection with the performance of their duties as members

Section 4 Purposes and General Powers The Authority is created for the purpose of constructing improving maintaining and operating public school buildings and furnishing and equipping the same for the use as public schools as a part of the public school system of the Commonwealth of Pennsylvania under the jurisdiction of the Department of Public Instruction

The Authority is hereby granted and shall have and may exercise all the powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have perpetual existence as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any property real personal or mixed tangible or intangible or any interest therein (necessary or desirable) for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or any interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rentals and other

charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue bonds of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues rentals and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transaction with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

Provided however That the Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth or any of its school districts nor shall any of its obligations or debts be deemed to be obligations of the Commonwealth or any of its school districts nor shall the Commonwealth or any of its school districts be liable for the payment of principal or interest on such obligations

Provided further That all contracts between the Authority and school districts shall be conditioned upon the preparation of general plans for the orderly development of improved attendance areas and administrative units and for the improved housing of the public schools of the Commonwealth These plans shall be prepared cooperatively by local county and State school authorities in accordance with standards and regulations prescribed by the Department The Department shall have authority and its duty shall be to review all construction projects to determine

(1) The extent to which they conform to general county and State plans

(2) The amount of improvement to be brought about in attendance areas and administrative units

(3) The adequacy of the proposed building with respect to educational design location usefulness for community activities safety comfort and convenience

(4) The ability of the local school district or districts to amortize the cost of construction and to defray the cost of operation and maintenance

No contract shall be executed between the Authority and school districts without the specific written approval of the Department

Section 5 Contracts to Lease and Leases by Department of Public Instruction and School Districts from Authority Any school district within the Commonwealth shall have power and authority with the approval of the Governor to enter into contracts with the Authority to lease as lessee from the Authority any school building and the furnishings and equipment thereof constructed or improved by the Authority for a term with respect to each not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority and upon the completion of said school building and the furnishings and equipment thereof the school district shall have power and authority with the approval of the Governor to lease as lessee any school building and the furnishings and equipment thereof completed by the Authority for a term

with respect to each not exceeding thirty (30) years at such rental or rentals as may be determined by the Authority

Section 6 Purposes and Powers Bonds (a) The bonds of the Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board and shall be of such series bear such date or dates mature at such time or times not exceeding thirty (30) years from their respective dates bear interest at such rate or rates not exceeding six per centum per annum payable semi-annually be in such denominations be in such form either coupon or fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption at such prices not exceeding one hundred five per centum of the principal amount thereof and be entitled to such priorities in the revenues rentals or receipts of the Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupons or any thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds shall be sold to the highest responsible bidder or bidders after public notice by advertisement once a week for three weeks in not less than six (6) or more than twelve (12) newspapers of large general circulation in different parts of the Commonwealth the first advertisement to be published not less than fifteen (15) days before the day fixed for the opening of bids The notice shall contain a general description of the bonds the manner place and time of the sale or the time limit for the receipt of proposals The name of the officer to whom bids or proposals shall be delivered and a statement of the terms and conditions of sale Pending the preparation of the defective bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

(b) Any resolution or resolutions authorizing any bonds may contain provisions which shall be part of the contract with the holders thereof as to (a) pledging the full faith and credit of the Authority (but not of the Commonwealth or any county or other political subdivision thereof) for such obligations or restricting the same to all or any of the revenues rentals or receipts of the Authority from all or any projects or properties (b) the construction improvement operation extension enlargement maintenance and repair of any project or projects and the duties of the Authority with reference thereto (c) the terms and provisions of the bonds (d) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (e) the rate of tolls rentals and other charges for use of the facilities of or the services rendered by the Authority including limitations upon the power of the Authority to modify any leases or other agreements pursuant to which any tolls rentals or other charges are payable (f) the setting aside of reserves or sinking funds and the regulation and disposition thereof (g) limitations on the issuance of additional bonds (h) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (i) any other or additional agreements with the holders of the bonds

(c) The Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign

and pledge all or any of the revenues rentals or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including (but without limitation) provisions as to (i) the construction improvement operation maintenance and repair of any project or projects and the duties of the Authority with reference thereto (ii) the application of funds and the safeguarding of funds on hand or on deposit (iii) the rights and remedies of said trustee and the holders of the bonds (which may include restrictions upon the individual right of action of such bondholders) and (iv) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders (a) The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in the payment of principal or of interest on any of the bonds after said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty (30) days or in the event that the Authority shall fail or refuse to comply with the provision of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may (except as such right may be limited under the provisions of any deed of trust indenture or other agreement as aforesaid) appoint a trustee to represent the bondholders for the purposes herein provided Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(1) By mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(2) Bring suit upon the bonds

(3) By action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(4) By action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(5) By notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

(b) Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may (to the same extent that the Authority itself could so do) enter and take possession of the facilities of the Authority or any parts thereof the revenues rentals or receipts from which are or may be

applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit action or proceeding by the trustees the fees counsel fees and expenses of the trustee and of the receiver of any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights.

(c) In addition to all other rights and all other remedies any holder of bonds of the Authority shall have the right by mandamus or other suit action or proceeding at law or in equity to enforce his rights against the Authority including the right to require the Authority to collect fees rentals and other charges adequate to carry out any agreement as to or pledge of such fees rentals or other charges or income revenues and receipts and to require the Authority to carry out any of its covenants and agreements with the bondholders and to perform its and their duties under this act.

Section 8 Governing Body The powers of the Authority shall be exercised by a governing body consisting of the members of the Authority acting as a board. Within ninety days after this act shall become effective the board shall meet and organize by electing from their number a president and secretary. At the first regular meeting in each year thereafter they shall elect from their number a president and secretary.

Three members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purpose and all action shall only be taken by vote of a majority of the members of the Authority unless in any case the by-laws shall require a larger number. The board shall have full authority to manage the properties and business of the Authority to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied. The board shall fix and determine the number of officers agents and employees of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employees such powers and duties as it may deem proper.

Section 9 Moneys of the Authority All moneys of the Authority from whatever source derived shall be paid to the treasurer of the Authority. Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts shall be continuously secured by a pledge of direct obligations of the United States of America or of the Commonwealth having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account. Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority. All banks and trust companies are authorized to give such security for such deposits. The moneys in said accounts shall be paid out on the warrant or other order of the treasurer of the Authority or of other person or persons as it may authorize to execute such warrants or orders. The Department of Revenue of the Commonwealth and its legally authorized representatives are hereby authorized and empowered from time to time to examine the accounts and books of the Authority including its receipts disbursements contracts lease sinking funds investments and any other matters relating to its finances operation and affairs.

Section 10 Competition in Award of Contracts If any project or any portion thereof or any improvement thereof shall be constructed pursuant to a contract and the estimated cost thereof exceeds five hundred dollars (\$500) such contract shall be awarded to the lowest responsible bidder after advertisement for bids once a week for three weeks in at least one newspaper of general circulation in the county where the project or improvement is located. The authority may make rules and regulations for the submission of bids and the construction or improvement of any project or portion thereof. No contract shall be entered into for construction or improvement of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract. All construction contracts shall provide among other things that the person or corporation into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued. Nothing in this section shall be construed to limit the power of the Authority to construct any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employees of the Authority or otherwise than by contract.

Subject to the aforesaid the Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof.

Section 11 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands as it may deem necessary for any of the purposes mentioned in this act. Provided however That no lands interest in lands or property of a public service company or property used as a burial ground or place of public worship or a dwelling house and the reasonable curtilage not to be less than three hundred (300) feet appurtenant thereto shall be appropriated by virtue of power of eminent domain hereby conferred. The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by the Commonwealth.

Section 12 Use of Projects The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority. Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligation of the Authority or violate any agreements with them or for their benefit.

Section 13 Limitation of Powers The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged. The Commonwealth does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project or any portion thereof the Commonwealth will not alter or limit the rights and

powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of any project or such portion thereof

Section 14 Exemption from Taxation The effectuation of the authorized purposes of the Authority created under this act shall and will be in all respects for the benefit of the people of the Commonwealth for the increase of their welfare and prosperity and for the improvement of their education and educational facilities and since the Authority will be performing essential governmental functions in effectuating such purposes the bonds issued by the Authority their transfer and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation other than inheritance and estate taxation within the Commonwealth of Pennsylvania

Section 15 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I am instructed by the Democratic caucus to inform the Senate that the Democratic caucus is unanimously in favor of this bill, which is the type of legislation that we have been advocating in order to meet necessary expenditures at the present time for buildings and properties to be used by the state in the years to come. This is the only method that we know of by which the state of Pennsylvania can perform the obligations that are assessed against the state by increased need for public buildings.

Therefore we compliment the sponsor for presenting this type of legislation at this time. We only wish they would extend to the mental hospitals the same type of legislation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,	Celtz,	Letzler,	Tarr,
Becker,	Haluska,	Lord,	Taylor,
Berger,	Hare,	Mahany,	Tyler,
Crider,	Heyburn,	Mallery,	Wade,
Crowe,	Holland,	Margie,	Wagner,
Dent,	Homsher,	Rahauser,	Walker,
DiSilvestro,	Jaspan,	Rosenfeld,	Watson,
Doehla,	Kephart,	Scarlett,	Wood, L. H.,
Donlan,	Klein,	Stevenson,	Wood, T. N.,
Farrell,	Lane,	Stiefel,	Woodring,
Frazier,	Leader,		

NAYS—7

Blass,	Chapman,	Tallman,	Wolfe,
Carr,	Snowden,	Wilson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 586, on third reading, entitled:

An Act to further amend section eight of the act approved the thirteenth day of May, one thousand nine hundred nine (P. L. 520) entitled, "An act relating to food; defining food; providing for the protection of the public health, and the prevention of fraud and deception, by prohibiting the manufacture or sale, the offering for sale or exposing for sale, or having in possession with intent to sell, adulterated, misbranded, or deleterious foods; prescribing certain duties of the Dairy and Food Commissioner in reference thereto; and providing penalties for the violation thereof," empowering the Department of Agriculture to make rules and regulations for the branding or labeling of food.

be recommitted to the Committee on Agriculture.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 588, on third reading, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 603, on third reading, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on third reading, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 630, as follows:

An Act to amend section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled "An act authorizing a married woman to make conveyances of real estate to her husband and validating all such conveyances heretofore made" authorizing conveyances of real estate of a married woman to her husband and herself jointly as if she were a feme sole

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled "An act authorizing a married woman to make conveyances of real estate to her husband and validating all such conveyances heretofore made" is hereby amended to read as follows

Section 1 Be it enacted &c That it shall be lawful for a married woman to make conveyances of real estate to her husband or her husband and herself jointly as if she were a feme sole

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, I. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 631, on third reading, entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by

the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 633, as follows:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1023) is hereby further amended to read as follows

Section 2 * * * * *

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where only one transaction is involved and where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania nor shall they be held to include any profit or nonprofit cemetery company nor any officer nor employee thereof who as incidental to his principal duties sells lots in such company's cemetery to persons for their use as a family burial lot and who does not receive directly or indirectly any remuneration for such sales

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Bart,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 645, as follows:

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates of certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations

are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" as amended by the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1335) is hereby further amended to read as follows

Section 5 No minor under sixteen years of age shall be employed or permitted to work in about or in connection with any manufacturing or mechanical occupation or process nor on scaffolding nor in heavy work in the building trades nor in stripping or assorting tobacco nor in any tunnel nor upon any railroad steam electric or otherwise nor upon any boat engaged in the transportation of passengers or merchandise nor in operating motor-vehicles of any description nor in any anthracite or bituminous coal-mine or in any other mine

No minor under eighteen years of age shall be employed or permitted to work in the operation or management of hoisting machines in oiling or cleaning machinery in motion in the operation or use of any polishing-or buffing-wheel at switch-tending at gate-tending at track-repairing as a brakeman fireman engineer or motorman or conductor upon a railroad or railway as a pilot fireman or engineer upon any boat or vessel in the manufacture of paints colors or white lead in any capacity in preparing composition in which dangerous leads or acids are used in the manufacture or use of dangerous or poisonous dyes in any dangerous occupation in or about any mine nor in or about any establishment wherein gunpowder nitro-glycerine dynamite or other high or dangerous explosive is manufactured or compounded

No minor under eighteen years of age shall be employed or permitted to work in about or in connection with any establishment where alcoholic liquors are distilled rectified compounded brewed manufactured bottled sold or dispensed nor in a public bowling alley nor in a pool or billiard room provided that male minors sixteen years of age and over may be employed and permitted to work in a public bowling alley

No minor shall be employed or permitted to serve or handle alcoholic liquor in any establishment where alcoholic liquors are sold or dispensed nor be employed or permitted to work in violation of the laws relating to the operation of motor vehicles by minors

In addition to the foregoing it shall be unlawful for any minor under eighteen years of age to be employed or permitted to work in any occupation dangerous to the life or limb or injurious to the health or morals of the said minor as such occupations shall from time to time after public hearing thereon be determined and declared by the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 684, as follows:

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the employment of supervising principals The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 213) is hereby further amended to read as follows

Section 1214 The board of school directors of any school district of the third or fourth class which has no district superintendent may employ a supervising principal [of a part or all] of the public schools of the said school district under and subject to the provisions of section one thousand two hundred five of this act Every supervising principal shall be properly certificated by the Department of Public Instruction in accordance with such standards as the State Council of Education may establish

Section 2 The provisions of this act shall become effective the first day of July one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 696, as follows:

An Act to further amend section eight hundred twenty-eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" temporarily extending the suspension of the provisions thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred twenty-eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolleys omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties

cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-sixth day of March one thousand nine hundred forty-two (P. L. 14) is hereby further amended to read as follows

Section 828 School Buses Safety Requirements (a) "School Bus" for the purpose of this section in any vehicle registered as a commercial vehicle motor bus or motor omnibus or any vehicle having a lineal seating space including the space for the operator of more than one hundred (100) inches and owned by or used under contract with any school or school district for the transportation of school children Provided That said school bus shall not include motor buses operated by common carriers holding a certificate of the Public Utility Commission who also operate such motor buses over routes approved by such commission And provided further That such buses comply with the safety regulations of that commission and the State Council of Education of Pennsylvania

(b) No person shall own or operate a school bus carrying school children on the highways of this Commonwealth in a school bus that in addition to the other requirements of this act does not conform with the following

(1) The body of the vehicle shall be of all metal construction and of the closed type and shall provide only one compartment for the operator and school children

(2) The exhaust system shall be so constructed that exhaust gases will be kept out of the body of the school bus and adequate ventilation shall be provided in all school buses

(3) There shall be an entrance door located to the right of the operator and at all times controlled only by such operator The door shall be at least twenty-four (24) inches wide and shall be an approved safety type with suitable hand rails

(4) There shall be an emergency exit door in the rear or on the left side near the rear of the vehicle equipped with an emergency lock operated from the inside of the vehicle which may be quickly released and which shall be protected against accidental release The emergency exit door shall open outwards and shall be at least twenty (20) inches wide and shall be labeled in black letters at least three (3) inches high on both the outside and inside "Emergency Door"

(5) All windows shall be so constructed and installed that they shall readily slide up and down only except that the windows in the rear of the bus shall be stationary All side windows in the bus shall be provided with removable heavy wire mesh or other removable guard of a sufficient height to prevent the extension of hands

(6) There shall be at least thirteen (13) inches of seating space provided for each school child carried And there shall be a measurement of at least twelve (12) inches from the front of every seat to the back of the seat next to the rear All seats shall have spring cushions and all back rests shall be well padded and shall be securely fastened to the bus There shall be no longitudinal seats opposite to and facing each other within a distance of eighteen (18) inches and in all new buses purchased after the effective date of this act there shall be no longitudinal seats

(7) Every school bus shall be of a uniform color which shall be orange and every such bus shall be labeled both in the front and in the rear with black letters not less than six (6) inches in height with the words "School Bus" showing to the outside

(8) Every school bus shall be equipped with at least one (1) fire extinguisher of approved type in good condition and ready for use as prescribed by the secretary and shall be so placed that it can be readily reached from the operator's seat

Provided That nothing contained in this section shall make unlawful the use before August first one thousand

nine hundred forty-two of any vehicle as a school bus for the transportation of school children if such vehicle was used in this Commonwealth under contract with any school or school district for the transportation of school children before the effective date of this section

The secretary shall have the authority to make regulations not inconsistent with this act for the efficient administration of this section and [during the national emergency] until June first one thousand nine hundred forty-nine to suspend the operation of the provisions of this section if in his judgment priority claims for material make it impossible to comply with such provisions

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than ten (\$10) dollars and not more than twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not less than five (5) days and not more than ten (10) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahausser,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Cridler,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
Disilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 725, on third reading, entitled:

An Act to reenact amend and revise section forty-one clause (a) paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations

to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 727, as follows:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" is hereby amended to read as follows

Section 2 When any soldier shall take any civil service appointment or promotional examination for a public position under the Commonwealth or under any political subdivision thereof he shall be given credit in the manner hereinafter provided for the discipline and experience represented by his military training and for the loyalty and public spirit demonstrated by his service for the preservation of his country

No soldier taking any civil service appointment or promotional examination shall be required to furnish nor shall he furnish in connection therewith his former rank or service serial number

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman.

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,

Lord,
Mahany,
Mallery,
Margie,
Rahausen,
Rosenfeld.

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker.

Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman.

Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 898, on third reading, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1066, as follows:

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 20 Collection of Per Capita Poll and Occupation Taxes from Employers etc. The tax collector shall demand receive and collect from all corporations political subdivisions associations companies firms or individuals employing persons owing per capita poll or occupation taxes or whose wife owes per capita poll or occupation taxes or having in possession unpaid commissions or earnings belonging to any person or persons owing per capita poll or occupation taxes or whose wife owes per capita

poll or occupation taxes upon the presentation of a written notice and demand containing the name of the taxable or the husband thereof and the amount of tax due Upon the presentation of such written notice and demand it shall be the duty of any such corporation political subdivision association company firm or individual to deduct from the wages commissions or earnings of such individual employes then owing or that shall within sixty days thereafter become due or from any unpaid commissions or earnings of any such taxable in its or his possession or that shall within sixty days thereafter come into its or his possession a sum sufficient to pay the respective amount of the per capita poll or occupation taxes and costs shown upon the written notice or demand and to pay the same to the tax collector of the taxing district in which such delinquent tax was levied within sixty days after such notice shall have been given such corporation political subdivision association firm or individual shall be entitled to deduct from the moneys collected from each employe the costs incurred from the extra bookkeeping necessary to record such transactions not exceeding two per centum of the amount of money so collected and paid over to the tax collector Upon the failure of any such corporation political subdivision association company firm or individual to deduct the amount of such taxes or to pay the same over to the tax collector less the cost of bookkeeping involved in such transaction as herein provided within the time hereby required such corporation political subdivision association company firm or individual shall forfeit and pay the amount of such tax for each such taxable whose taxes are not withheld and paid over or that are withheld and not paid over together with a penalty of ten per centum added thereto to be recovered by an action of assumpsit in a suit to be instituted by the tax collector or by the proper authorities of the taxing district as debts of like amount are now by law recoverable except that such persons shall not have the benefit of any stay of execution or exemption law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Frazier,	Margie,	Wade,
Becker,	Geltz,	Rahausen,	Wagner,
Berger,	Hare,	Rosenfeld,	Walker,
Blass,	Heyburn,	Scarlett,	Watson,
Carr,	Homsher,	Snowden,	Wilson,
Crider,	Kephart,	Stevenson,	Wolfe,
Crowe,	Letzler,	Stiefel,	Wood, L. H.,
Doehla,	Lord,	Tallman,	Wood, T. N.,
Donlan,	Mahany,	Taylor,	Woodring,
Farrell,	Mallery,	Tyler,	

NAYS—10

Chapman,	Haluska,	Klein,	Leader,
Dent,	Holland,	Lane,	Tarr,
DiSilvestro,	Jaspan,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1286, as follows:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All conveyances of real property made or entered into by any county home or by the directors of the poor in any county city borough township or poor district prior to the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" are hereby ratified and confirmed whether or not such conveyances were approved by the court of common pleas as required by the provisions of the act approved the twenty-eighth day of April one thousand eight hundred eighty-seven (P. L. 75)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Manany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Rela-

tions Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market

go over in its order, temporarily.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lock-outs providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 305, on second reading, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employes and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 230 CALLED UP

Mr. KEPHART. Mr. President, I call up for consideration at this time Senate Bill No. 230.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 230, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market

The first section was read and agreed to.

The second section was read.

On the question

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Section 2, page 7, line 6, by inserting at the end of the line after the word "exists", the following: "and is ready and willing to comply with reasonable regulations uniformly required as a condition of acquiring or retaining membership"

On the question,

Will the Senate agree to the amendments?

And the question recurring,

Will the Senate agree to the amendments?

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Section 3, page 8, line 6, by inserting at the end of the line after the word "exists", the following: "and is ready and willing to comply with reasonable regulations uniformly required as a condition of acquiring or retaining membership;" Amend Section 3, page 8, line 18 by inserting after the word "Services", the following; "in such manner as,"

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendments:

Amend the fifth line of the title on page 3 by striking out at the beginning of the line the word "operate" and inserting in lieu thereof the word; "limit the operation;" Amend the fifth line of the title on page 3 by inserting after the word "conduct" the word "of"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

Mr. DENT. Mr. President, it is difficult to get the full intent of the amendments, but they are now writing rules and regulations to the charters of labor unions. The bill starts out as a regulatory measure of labor organizations and—

The PRESIDING OFFICER. Does the gentleman object to the amendments?

Mr. DENT. Mr. President, I am questioning their legality.

The PRESIDING OFFICER. Does the gentleman from Westmoreland wish to interrogate the sponsor of the amendments?

Mr. DENT. Mr. President, I think it would be best just to allow it to go through, because I think it is a very bad bill already, so that any amendments will only make it worse.

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous con-

sent that Senate Bill No. 230, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 359, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the word "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by further defining the term "pharmacy" and further regulating the registration of certain persons

And said bill having been read at length the second time and agreed to,

Oredred, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the cope of collective bargaining

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend clause (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of motor buses

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 546, on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals the record of magistrates and the disposition of certain fines and penalties

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 578, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

Section 101 was read and agreed to.

Section 102 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend Section 102, page 5, line 5, by inserting after the word "class" the following: "or second class A!" Amend Section 102, page 5, lines 8 and 9 by striking out the words, "second class A or".

They were agreed to.

The section was agreed to as amended.

Section 201 was read and agreed to.

Section 202 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend sec. 202, page 7, line 11, by striking out the words "In counties of the second class the" and inserting in lieu thereof "The".

It was agreed to.

The section was agreed to as amended.

Sections 203, 204, 205, 206, 207, 208, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 401, 402, 403, 404, 405, 406, 501, and 601 were read and agreed to.

Section 602 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend sec. 602, page 38, line 15, by inserting after the word "may" the following: "at the option of the bureau".

It was agreed to.

The section was agreed to as amended.

Section 603 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendment:

Amend sec. 603, page 39, line 11, by inserting after the word "may" the following: "at the option of the bureau".

It was agreed to.

The section was agreed to as amended.

Sections 604, 605 and 606 were read and agreed to.

Section 607 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend sec. 607, page 43, line 5, by striking out the words "or city"; amend sec. 607, page 44, line 15, by inserting after the word "sale" the following: "or the time of holding the sale or of petitioning court for an order of sale".

They were agreed to.

The section was agreed to as amended.

Sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 were read and agreed to.

Section 701 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend sec. 701, page 54, lines 4 and 5, by striking out the words "or a sale"; amend sec. 701, page 54, lines 5 and 6, by striking out the words "and have not at the effective date of this act either resold the interest" and inserting in lieu thereof "unless such property or interest shall have been resold"; amend sec. 701, page 54, line 6, by striking out the words "the property"; amend sec. 701, page 54, lines 8 and 9, by striking out the words "within one (1) year after the effective date of this act" and inserting in lieu thereof the following: "prior to the first day of January, one thousand nine hundred forty-nine or in cases where the redemption period has not expired at such time immediately on the expiration thereof"; amend sec. 701, page 54, line 18, by striking out the words "or city".

They were agreed to.

The section was agreed to as amended.

Section 702 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend sec. 702, page 55, lines 3 and 4, by striking out the words "The bureau shall until the" and inserting in lieu thereof "The"; amend sec. 702, page 55, line 5, by striking out the word "is" and inserting in lieu thereof "shall not be subject to redemption and until finally"; amend sec. 702, page 55, line 5, by inserting after the word "provided" the following: "the bureau shall"; amend sec. 702, page 55, line 6, by striking out the words "or city"; amend sec. 702, page 55, line 18, by striking out the word "and"; amend sec. 702, page 56, line 2, by inserting after the word "therefrom" the following: "and (h) to sell the property at private sale to give options thereon and receive option money and to make deeds for such property when sold, the same manner as provided in Article VI"

They were agreed to.

The section was agreed to as amended.

Section 703 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend sec. 703, page 56, lines 8 to 20 inclusive, by striking out all of said lines; amend sec. 703, page 57, lines 1 to 6 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

Section 704 was read.

On the question,

Will the Senate agree to the section?

Mr. STEVENSON offered the following amendments:

Amend sec. 704, page 57, line 7, by striking out the figures "704" and inserting in lieu thereof "703"; amend sec. 704, page 57, line 9, by striking out the words "redeemed as provided in the section immediately preceding" and inserting in lieu thereof the following: "sold at private sale as hereinbefore provided"; amend sec. 704, page 57, line 11, by striking out the words "forty-nine" and inserting in lieu thereof "fifty-one"; amend sec. 704, page 57, line 11, by inserting after the word "made" the following: "upon petition to court for an order to sell clear and free of all claims liens mortgages and estates"; amend sec. 704, page 57, lines 13 to 15, by striking out the words "returned to the bureau and claims entered and made absolute as provided in Article III and the properties sold on such claims" and inserting in lieu thereof the following: "first exposed to public sale"; amend sec. 704, page 57, line 15, by striking out the words "of this act" and inserting in lieu thereof the following: "but not sold because of insufficient bid"; amend sec. 704, page 57, line 18, by inserting after the word "applicable" the following: "and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever"; amend sec. 704, page 57, lines 19 and 20, by striking out all of said lines; amend sec. 704, page 58, lines 1 to 3 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

Sections 801, 802 and 803 were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. STEVENSON offered the following amendment:

Amend title, page 1, line 2, by inserting after the word "class" the following: "and second class A".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 652, on second reading, entitled:

An Act to amend sub-section (g) of section nine hundred forty-two and clause (f) of section nine hundred forty-three of Article 12 of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by regulating the use of posters comparable to those used by the Game Commission, and providing penalties.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. GELTZ. Mr. President, I second the motion.
The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 670, entitled:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 676, on second reading, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 682, entitled:

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time, authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 683, entitled:

An Act to further amend section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," applying certain regulations to mines employing fewer than five persons and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 689, on second reading, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS POSTPONED

Mr. WALKER. Mr. President, I move that Senate Bill No. 690, on second reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers.

be placed on the second reading postponed calendar.

Mr. TALLMAN. Mr. President, I second the motion. The motion was agreed to.

Mr. WALKER. Mr. President, I move that Senate Bill No. 691, on second reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers.

be placed on the second reading postponed calendar.

Mr. TALLMAN. Mr. President, I second the motion. The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 707, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend sec. 1, page 2, line 7, by inserting after the word "institutions" the following: "boarding houses, foster homes, or any other places for the care of children"; amend sec. 1, page 2, line 8, by inserting after "(3)" the following: "any place conducted by or in which children may be placed by"; amend sec. 1, page 2, line 9, by striking out the words "for the purpose"; amend sec. 1, page 2, line 10, by inserting after the word "corporations" the following: "whose corporate purposes include the placement and care of children"; amend sec. 1, page 2, line 13, by striking out the word "or"; amend sec. 1, page 2, line 13, by inserting after "(6)" the following: "any place selected by a parent for the temporary care of his children gratuitously or for pay during his absence or (7)".

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth, sixth and seventh sections were read and agreed to.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend sec. 8, page 5, line 5, by inserting after the word "such" the following: "licensed."

It was agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend sec. 9, page 5, lines 10, 11 and 12, by striking out the words "or authorized agency" in line 10, all of line 11 and the word "jurisdiction" in line 12; amend sec. 9, page 5, line 15, by inserting after the word "children" the following: "licensed under this act."

They were agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend sec. 10, page 6, line 1, by inserting after the word "children" the following: "licensee under this act;" amend sec. 10, page 6, line 2, by striking out the words "in such home" and inserting in lieu thereof: "therein."

They were agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend sec. 11, page 6, line 17, by striking out the word "the" where it appears the second time, and inserting in lieu thereof: "such;" amend Bill, page 7, by inserting between lines 12 and 13 the following:

Section 12. Discretion of Courts and Existing Child Placement Agencies.—Nothing contained in this act shall be construed to interfere with the discretion of the several courts of the Commonwealth of Pennsylvania or of any of the existing child placement agencies of this Commonwealth to place any child in any institution, boarding house for children, foster home, or other place for the care of children.

They were agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment.

Amend sec. 12, page 7, line 13, by striking out the figure "12" and inserting in lieu thereof: "13."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend sec. 13, page 8, line 1, by striking out the figure "13" and inserting in lieu thereof: "14."

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendment:

Amend sec. 14, page 8, line 6, by striking out the figure "14" and inserting in lieu thereof: "15."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. MALLERY. Mr. President, I ask unanimous consent that Senate Bill No. 707, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

go over in its order.

The PRESIDING OFFICER. Is there objection. The Chair hears none.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President. I move that House Bill No. 768, on second reading, entitled:

An Act to add section one thousand six hundred ten point one to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing the teaching of safe driving of automobiles

be recommitted to the Committee on Highways.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1178, on second reading, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting

such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 326 CALLED FROM POSTPONED CALENDAR

Mr. WALKER. Mr. President, I would like to call up at this time, from the Second Reading Postponed Calendar, on page 30, House Bill No. 326, for the purpose of offering amendments.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were read and agreed to.

The seventeenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendment:

Amend sec. 17, page 19, lines 8 to 11, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 326, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at the time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor:

MEMBERS OF THE SANITARY WATER BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Members of the Sanitary Water Board, to serve until the third Tuesday of January, 1951, and until their successors shall have been appointed and qualified:

Dr. E. A. Holbrook, Dean of Engineering, University of Pittsburgh, Pittsburgh, Allegheny County.

Henry Lowe Brownback, 823 West Main Street, Norristown, Montgomery County.

JAMES H. DUFF.

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. KEPHART and Mr. BERGER,

To grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's sessions.

Which was agreed to.

Whereupon,

A motion was made by Mr. KEPHART, and Mr. GELTZ,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to

BILLS INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce (bills) at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 773, entitled:

An Act to further amend Section 1103, of the Act approved the 9th day of April 1929 (P. L. 343) entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure relative to petitions for review

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 774, entitled:

An Act to amend the Act approved the 5th day of December 1933 (P. L. 38-1933-34) entitled "An act imposing State taxes, payable by those herein defined as manufacturers and importers, on the privilege of manufacturing, selling, or using in this Commonwealth alcohol usable for beverage purposes and certain spirituous and vinous liquors; providing for the collection of the taxes, and the manner of making payment thereof; conferring powers and imposing duties on certain State officers and departments, and upon manufacturers, importers and upon those using or engaging in the sale of such alcohol and such spirituous and vinous liquors; authorizing refunds or exemption in certain cases, and making an appropriation therefor; and providing penalties," by further regulating the procedure for filing petitions for redetermination, petitions for review and appeals to Court

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 775, entitled:

An Act to further amend subsection (c) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing,

and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," conferring additional powers and duties upon the Pennsylvania Labor Relations Board with reference to questions concerning representation of employes for the purposes of collective bargaining

Which was committed to the Committee on Labor and Industry.

Mr. HARE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HARE read in place and presented to the Chair Senate Bill No. 776, entitled:

An Act making an appropriation to the Department of Public Instruction to establish an experimental program in the education of the deaf and hard of hearing children in their local environments, administrated and supervised by the Department of Public Instruction.

Which was committed to the Committee on Education.

Mr. BARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Messrs. BARR, CARR and TARR read in place and presented to the Chair Senate Bill No. 777, entitled:

An Act to further amend the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses, and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further regulating procedure for rejection of nomination papers and the procedure for nominations and substituted nominations by political bodies

Which was committed to the Committee on Elections.

REPORT FROM COMMITTEE

Mr. WOODRING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. WOODRING from the Committee on Local Government, reported as amended, Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amend-

ed authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 216, entitled:

An Act authorizing the Joint State Government commission to study the education facilities and needs of the citizens in certain educational fields the financing administration and other features of collegiate institutions prescribing the powers and duties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 263, entitled:

An Act relating to firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 314, entitled:

An Act to further amend section five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by requiring all city county or other public employes whether paid a per diem wage or otherwise to become members of the pension system of such city and removing optional rate of contribution

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 363, entitled:

An Act to amend further the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," as amended, by changing the method of accounting for advances out of appropriations at the end of a biennium

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 393, entitled:

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 426, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred seventy-nine," by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 585, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creat-

ing, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by transferring certain institution, boards, employes, functions, powers and duties from the Department of Welfare to the Department of Health

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 632, entitled:

An Act to amend section nine of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture, storing, and possession of explosives requiring permits for magazines, and prescribing permit fees; and providing penalties," increasing the minimum and maximum limits of license fees

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act, approved the first day of July, one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of the cities of the second class,' establishing a department of lands and buildings in said cities; providing for its officers and employes; defining the powers, duties, and jurisdiction of said department, and in certain cases transferring the same from existing department," by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings, and that such jurisdiction may be alternative to the jurisdiction of the department of public works, as shall be determined by the council of such cities.

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June, one thousand nine hundred thirty-nine (P. L. 932) entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," changing the provisions thereof authorizing the levy and collection of taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 673, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 709, entitled:

An Act to further amend the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contribution by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "accumulated deductions," and further regulating withdrawal and payments thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis; providing for its appointment, authorizing the employment of necessary assistants; prescribing the powers and duties of the commission; and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10, of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," validating certain expenditures

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 759, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees permitting the conferring of civil service status on appointees in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section three of Article VIII of the act, approved the twenty-first day of June, one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," increasing the compensation of examining board members

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 771, entitled:

An Act to further amend section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21), entitled "An act for establishment of a uniform standard of time throughout the Commonwealth," making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 810, entitled:

An Act to further amend section one thousand eight hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for the reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teacher Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commission, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," as last amended, by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease, gift, purchase or condemnation lands, buildings and appurtenances thereto for port or harbor purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 884, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must be filed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 919, entitled:

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1035, entitled:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1057, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1084, entitled:

An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was created.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1191), entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation," providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board; and reappropriating the unexpended balance of the appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1091, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by amending Sections 220 and 2413 and adding new Sections 526 and 701 (1) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission and to direct subject to approval by the Executive Board what records shall be preserved by Photographic process and what assignment and utilization shall be made of space in the Capitol buildings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1110, entitled:

An Act to amend sections two and three of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by further providing for the filing of reports and for certain deductions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevo-

lent, humane, and patriotic purposes," further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1173, entitled:

An Act to amend the title of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain department, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, board and commissions shall be determined," by prescribing certain additional forest powers and duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The PRESIDING OFFICER. The Chair now asks the President pro tempore to return to the rostrum.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 106, entitled:

An Act requiring that all meetings of legislative bodies of political subdivisions and of boards, commissions and authorities created by or operating as agencies of political subdivisions at which ordinances, resolutions, rules regulations and other actions are adopted to be opened to the public; permitting the holding of executive sessions from

which the public is excluded but prohibiting the adoption of ordinances, resolutions, rules, regulations and actions at such sessions.

House Bill No. 215, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," including within the definition of State employe, employes of the Pennsylvania Turnpike Commission.

House Bill No. 670, entitled:

An Act to amend section four hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred forty-one, (P. L. 159), entitled "Municipal Borrowing Law," providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements, may be paid into a revolving fund and not in the sinking fund.

House Bill No. 832, entitled:

A Supplement to the act, approved the twenty-fifth day of April, one thousand nine hundred forty-five (P. L. 299), entitled "An act providing for the establishment in counties of the second class of the lot and block plan for the registration of land titles, for the accumulation of county tax liens, and for the enumeration of the parcels of real estate to be assessed for county, city borough, township, school and institution district taxation; providing for the incurring of indebtedness for the installation thereof; and imposing duties upon the county controller and the deed registrar in each of such counties," providing for the use in counties of the second class of the lot and block descriptive number, in the making of assessments, in the preparation of tax bills and tax receipts, in the filing of liens for delinquent taxes and in the sale of real estate for taxes; and imposing duties upon certain county officials in second class counties, and upon treasurers, tax collectors and solicitors of cities boroughs, towns, townships and school districts in said counties.

House Bill No. 1050, entitled:

An Act to protect consumers in the purchase for fuel purposes of the hard coal known as anthracite providing for and regulating the sale offering for sale resale delivery and shipment of anthracite according to a standard provided for in this act requiring producers and dealers and persons engaged in the sale and resale of anthracite from storage yards or otherwise to consumers to keep certain records conferring powers on the Anthracite Committee and its agents and providing penalties

House Bill No. 1053, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a new section authorizing the creation of an additional debt by the Commonwealth for the payment of compensation to certain veterans.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, May 21, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:54 o'clock, p. m., Eastern Standard Time until Wednesday, May 21, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 20, 1947

The House met at 12:00 noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrave offered the following prayer:

O God, may the joy of the Lord be our strength today and forever. Abide with us that we may ever feel the necessity of keeping our finer faculties alive and sensitive. Thus we shall be really good workmen in the great vineyard to which our state and country has called us. Continually persuade us, O Lord, that it is a fine privilege to have heard the call to such service and to have responded in a goodly measure. So may it be, our blessed heavenly Father. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, May 19, 1947.

The Clerk proceeded to read the Journal of Monday, May 19, 1947, when, on motion of Mr. SNIDER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Powers for Mr. MIHM for the remainder of the week because of illness.

REPORTS FROM COMMITTEES

Mrs. McCOSKER from the Committee on Judiciary, reported as committed, House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Mr. TAHL from the Committee on Elections and Apportionment, reported as amended, Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

Mr. GRIFFITHS from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special

and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district

Mr. McCORMACK from the Committee on Elections and Apportionment, reported as amended, Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty.

Mr. GRIFFITHS from the Committee on Judiciary, reported as committed, Senate Bill No. 337, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the

investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements.

Mr. KENT from the Committee on Elections and Apportionment, reported as committed, Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicles for moving furniture and household goods and boards of school directors; and imposing penalties," clarifying the provisions relating to the time for giving change of party enrollment notice.

Mr. ELDER from the Committee on Boroughs, re-reported as committed, House Bill No. 885, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the levy and collection of an additional tax to provide pensions retirement or the purchase of annuity contracts for municipal employes

Mr. PICKENS from the Committee on Boroughs, re-reported as amended, House Bill No. 958, entitled:

An Act to amend the act approved the twenty-six day of April one thousand nine hundred twenty-nine (P. L. 823) entitled "An act permitting boroughs to provide a method of assessment for borough taxes" making assessments made hereunder the basis for determining borrowing power and tax levies for borough purposes changing the method of compensation designating the borough council as the board of revision prohibiting use of assessments made under this act for county purposes and providing for appeals from such assessments.

Mr. ELDER from the Committee on Boroughs, re-reported as committed, House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," authorizing charges for borough services and facilities.

Mr. PRICE from the Committee on Boroughs, re-reported as committed, House Bill No. 889, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for amusement tax for general revenue purposes and providing penalties

Mr. LAYER from the Committee on Boroughs, reported as amended House Bill No. 1216, entitled:

An Act to reenact, amend and revise the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs."

The SPEAKER. The Chair requests the gentleman from Montgomery, Mr. Cadwalader, to preside.

MR. CADWALADER IN THE CHAIR.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 33.

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and development of the Delaware Division of the Pennsylvania Canal

Referred to the Committee on Appropriations.

SENATE BILL No. 562.

An Act to amend section two and the first paragraph of section thirty of the act, approved the sixth day of April, nineteen hundred thirty-seven (P. L. 200), entitled "An act licensing and regulating the business of pawnbrokers; providing for the issuance of licenses by the Secretary of Banking; authorizing the Secretary of Banking to make examinations and issue regulations; limiting the interest and charges on loans; and prescribing penalties for the violation of this act," excluding storage warehousemen from the provisions thereof.

Referred to the Committee on Banking and Building and Loan Associations.

SENATE BILL No. 600.

An Act to amend section three hundred six point one of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736), entitled "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by further regulating the payment in second injury cases.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 616.

An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering city councils by ordinance to define and penalize disorderly conduct.

Referred to the Committee on Cities—Third Class.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. UPSHUR and CHUDOFF. Resolution No. 53.

In the House of Representatives, May 19, 1947.

Whereas, The only United States National Cemetery in the eastern part of the Commonwealth of Pennsylvania

is the one located at Haines Street and Limekiln Pike, in the City of Philadelphia, and

Whereas, The said National (U. S. A.) Cemetery in Philadelphia has been filled for sometime, and

Whereas, At the present time, veterans dying in the Philadelphia area are being buried at Beverly, New Jersey, which cemetery being at a distant point, puts the families of the deceased veterans to additional expense and inconvenience, and

Whereas, The military authorities of the United States several years ago announced a plan under which five military cemeteries were to be located in Pennsylvania, and

Whereas, No further action having been taken to carry out the provisions of said plan, it is hereby

Resolved, That it is the desire of the House of Representatives of the Commonwealth of Pennsylvania:

That the President of the United States and the Congress of the United States be memorialized and they are so memorialized to carry out the provisions of the plan under which five military cemeteries are to be located in Pennsylvania and that the same be located throughout the Commonwealth of Pennsylvania at places most convenient to the residents thereof.

That the Chief Clerk of the House of Representatives be instructed and he is so instructed to send copies of this resolution to the President of the United States, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, and to the Senators and Representatives of Pennsylvania in the Congress of the United States.

Referred to the Committee on Rules.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 87.

A Supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain State employees who during the war were loaned to the United States Government and who have now returned to State employment to pay into the retirement fund the amount of the contributions they would have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves

SENATE BILL No. 239.

An Act to amend the last paragraph of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-three (P. L. 1433), entitled "An act defining the powers of the courts of quarter sessions, the Municipal Court of Philadelphia, and the County or Juvenile Court of Allegheny County, with respect to the care, guidance, control, trial, placement and commitment of delinquent, dependent and neglected

children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency, neglect and dependency of children; and amending, revising and consolidating the law relating thereto," further defining liability for support of children in private homes, foster homes, children's homes and institutions; and providing for the enforcement thereof.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 19, 1947.

Resolved (if the Senate concurs), that House Bill 558, Printer's No. 253, entitled "An Act to amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by permitting certain additional insurance companies to come within the provisions thereof," be recalled from the Governor for further consideration.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 19, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 26, 1947 at 3:00 p. m. Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, May 26, 1947 at 3:30 p. m. Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON AMENDMENTS NON- CONCURRED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1046, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A Supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity requiring permits to conduct pharmacies providing for the revo-

cation thereof and prescribing penalties" regulating the use of a corporate title in applying for a pharmacy permit and its use on labels

And has appointed Messrs. CARR, KEPHART and BARR as a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 18.

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given

HOUSE BILL No. 19.

An Act to further amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men and to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made.

HOUSE BILL No. 20.

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made

HOUSE BILL No. 24.

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations

HOUSE BILL No. 23.

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for

the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," including the American Veterans of World War II (AMVETS) and the Marine Corps League among those organizations exempt from payment of registration fees of vehicles used by such organization

HOUSE BILL No. 25.

An Act to further amend section one of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports.

HOUSE BILL No. 336.

An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further changing the provisions of the act relating to the titling of commercial motor vehicles

HOUSE BILL No. 428.

An Act to amend sections two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation

HOUSE BILL No. 461.

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by allowing State airports to be leased for periods not to exceed five years

HOUSE BILL No. 465.

An Act to add section five hundred twenty-six to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the purchase maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission for official use and for the payment of charges therefor into the Motor License Fund and appropriating the same to the Pennsylvania Aeronautics Commission

HOUSE BILL No. 642.

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year

HOUSE BILL No. 964.

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization govern-

ment discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters.

HOUSE BILL No. 1008.

An Act to add article XXX-A to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," empowering boards of township commissioners to establish land subdivision regulations.

HOUSE BILL No. 1109.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators

HOUSE BILL No. 1232.

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate, being introduced presented extracts from the Journal of the Senate.

Senate Bills for concurrence 376, 439, 513, 519, 548, 555, 574, 589, 598, 626, 680 and 738.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Cadwalader, for presiding.

INFORMATION FOR PENNSYLVANIA MANUAL

The SPEAKER. The Bureau of Publications has notified the Chief Clerk that unless they receive from the Members their pictures and biographies for the Pennsylvania Manual, that particular Member, of course, will find his biography and picture will not be contained in the 1947 Manual. There has been considerable complaint as to the lateness in the arrival of the 1945 Manual, and this is one way the Members can help the Bureau of Publications by

please seeing that the Chief Clerk receives the biographies and pictures as requested by the Bureau of Publications within the next week.

HOUSE BILLS NOS. 195, 826, 952, 1076 AND SENATE BILL NO. 78 MADE SPECIAL ORDER

Mr. SORG. Mr. Speaker, I move that House Bill No. 195, Printer's No. 584, on page 1 of today's calendar; House Bill No. 826, Printer's No. 587, House Bill No. 952, Printer's No. 620 on page 3 of today's calendar; House Bill No. 1076, Printer's No. 588, on page 5 of today's calendar and Senate Bill No. 78, Printer's No. 338 on page 6 of today's calendar, bills on second reading, be made a special order of business in their order immediately.

The motion was agreed to.

SPECIAL ORDER

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

The first, second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. LOVETT offered the following amendments.

Page 4, Line 1, add "an equal amount as liquidated damages."

Page 4, Line 2, after the word "wages," add "and damages."

On the question,

Will the House agree to the amendments?

Mr. LOVETT. Mr. Speaker, I want to state that these amendments just put the bill back into its original form as it was prior to this previous Printer's Number.

Mrs. DYE. Mr. Speaker, I think the present wording of the bill is ample protection to the employee and that these amendments are unnecessary and I ask the House to vote against these amendments.

Mr. ANDREWS. Mr. Speaker, the amendments which the gentleman from Westmoreland has proposed are merely technical. We believe that it strengthens the bill. The measure is one that irrespective of whether or not the amendments go in, we intend to support.

The lady from Mercer has taken a purely arbitrary position, that it is her bill and it must not be amended for any reason. I think the Members of the House who look at the section will see if they study the proposition, that the amendments suggested strengthen the bill.

I just want to state that we have offered these amendments simply because we are interested in the technical efficiency of this act and not because we in any way want to embarrass it.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Lovett and Mr. Andrews and were as follows:

YEAS—37

Andrews,	Chudoff,	Mazza,	Reese, R. E.,
Bane,	Cochran,	Mills,	Sarrafi,
Barrett,	Cole,	Mooney,	Scanlon,
Bentzel,	Crowley,	Needham,	Snider,
Boies,	Demech,	O'Connor,	Stank,
Brown,	Erb,	O'Neill,	Swope,
Bucchin,	Evans,	Polaski,	Weiss,
Capano,	Kirley,	Powers,	Wheeler,
Chervenak,	Lovett,	Readinger,	Yester,
			Yetzer,

NAYS—137

Aaronson,	Gorman,	Madden,	Rowen,
Beech,	Graybill,	Madigan,	Royer,
Bloom,	Griffiths,	McCormack,	Sax,
Bonawitz,	Guthrie,	McCosker,	Scott,
Boorse,	Gyger,	McCullough,	Smith, C. C.,
Bower,	Hall,	McKinney,	Smith, C. M.,
Breisch,	Haller,	McMillen,	Sollenberger,
Brice,	Haudenschild,	Mikula,	Sorg,
Brunner,	Helm,	Miller,	Sproul,
Cadwalader,	Henry,	Mintess,	Stimmel,
Cassidy,	Hewitt,	Mohr,	Stockham,
Cook,	Hocker,	Moore, C. E.,	Stuart,
Cooper,	Hoffman,	Moore, H. A.,	Tahl,
Cordier,	Hoopes,	Morrison,	Thomassy,
Dague,	Imbt,	Murray,	Thompson,
Dairymple,	Johnson,	Najaka,	Tittle,
Davison,	Jones,	Neff,	Tompkins,
De Long,	Jump,	O'Dare,	Toomey,
Depuy,	Kean,	O'Donnell,	Turner,
Dix,	Kelley,	Orban,	Upshur,
Dye,	Kemp,	Patten,	Vaughan,
Eisenberg,	Kent,	Pickens,	Wachhaus,
Elder,	Kline,	Price,	Wagner,
Ewing,	Kohl,	Propert,	Waldron,
Feola,	Kratz,	Ragot,	Walton,
Fish,	Kurtz,	Reagan,	Watkins,
Flack,	Laughner,	Reese, D. P.,	Watson,
Fleming,	Layer,	Relly, J. M.,	West,
Foor,	Lee,	Relly, W. J.,	Wolf,
Frost,	Leisey,	Richter,	Wood,
Gallagher,	Livingston,	Riley,	Worley,
Getchey,	Livingstone,	Robbins,	Yeakel,
Gibson,	Loftus,	Robertson,	Young,
Goff,	Lyons,	Root,	Lichtenwalter,
Goodling,			Speaker.

NOT VOTING—31

Baumunk,	Horan,	Nelson,	Stonier,
Bender,	Jennings,	Petrosky,	Trout,
Clevenger,	Johnston,	Pichney,	Verona,
Costa,	Krise,	Rose,	Wallin,
Dennison,	McDonald,	Schuster,	Waterhouse,
Fiss,	Mihm,	Serrill,	Weidner,
Greenwood,	Myers,	Shoemaker,	Wescott,
Greer,	Naumann,	Simons,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fifth to eighth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act relating to strikes by public employes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before civil service and ten-

ure authorities and in certain cases before the Pennsylvania labor relations board.

The first section was read.

On the question,

Will the House agree to the section?

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. ROBERTSON asked and obtained unanimous consent to add the name of Mr. DIX as an additional sponsor to House Bill No. 826.

On the question recurring,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to interrogate either the gentleman from Lackawanna, Mr. Robertson, or the Majority Floor Leader, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. ROBERTSON. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I would like to ask the gentleman whether or not he has any legal authority for the bill as we are now discussing it, insofar as taking away from every public employe the right to strike, or to lose his job.

Mr. ROBERTSON. Mr. Speaker, I see no objection to this bill from a legal standpoint. This bill was discussed thoroughly in the State of Pennsylvania and I am sure it was passed on by the Attorney General. The man who drew up the bill, Mr. Hannestad, who is an authority on constitutional law, has given it his very careful consideration and he approves of this measure from a legal standpoint.

A similar act was passed in the State of New York. It was passed upon by the highest legal authority in that state. The Governor signed the bill, the Governor himself being a lawyer, and I think that bill was acted upon by all the leading lawyers in the State of Pennsylvania from a constitutional standpoint and I think this question also in Pennsylvania has been passed upon. Personally I do not see anything in this bill that is objectionable from a legal standpoint.

Mr. BROWN. Mr. Speaker, I asked the gentleman if he had any legal authority from any Court or Courts as to the constitutionality of this act. I presume the answer is "no."

Mr. ROBERTSON. No, Mr. Speaker.

Mr. BROWN. Mr. Speaker, is the gentleman familiar with the Pennsylvania Labor Relations Board Act?

Mr. ROBERTSON. I have read the act, Mr. Speaker.

Mr. BROWN. As I understand it, Mr. Speaker, House Bill 826, Printer's No. 587, provides in the case of a public employe who is not entitled by law to a hearing upon dismissal or removal, his request for a hearing shall be filed with the Pennsylvania Labor Relations Board. I believe that is clear language.

Mr. ROBERTSON. That is right, Mr. Speaker.

Mr. BROWN. Mr. Speaker, is the gentleman familiar with the case of Western Pennsylvania Hospital vs. Lichtenwalter, reported in the Pennsylvania Supreme Courts, Volume 340, page 382?

Mr. ROBERTSON. I have never read that case, Mr. Speaker.

Mr. BROWN. Mr. Speaker, may I interrogate the

Majority Floor Leader, the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, first, I desire to thank the gentleman from Lackawanna, Mr. Robertson.

Mr. Speaker, is the gentleman from Elk familiar with what is commonly known as the Western Pennsylvania Hospital case, construing the constitutionality of the Pennsylvania State Labor Relations Act.

Mr. SORG. I am not familiar with the case by name and number.

Mr. BROWN. Mr. Speaker, may I inquire then from the last and third authority, the gentleman from Delaware, Mr. Turner?

I thank the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, I regret that it becomes necessary to inquire of this counsel. Is the gentleman from Delaware familiar with the famous case of Western Pennsylvania Hospital vs. Lichleiter?

Mr. TURNER. Mr. Speaker, before answering the question of the gentleman, I do not like the doubtful compliment that is being paid to me as being the third in line in his questioning.

I would say to the gentleman from Allegheny that I am fairly familiar with the case, although I do not know that I can answer all the questions that he might desire to have answered.

Mr. BROWN. Mr. Speaker, the question that I want answered is by what stretch of the imagination can this Legislature by amending a bill which is not an amendment to the Pennsylvania Labor Relation Board Act, bring a matter within the jurisdiction of the Pennsylvania State Labor Relations Board without amending the Pennsylvania State Labor Relations Board Act?

Mr. TURNER. Mr. Speaker, I would take it that the Legislature has the right to designate the agency, being a State agency, before whom anyone might appear, or before whom anyone might have a hearing. I don't know that it is necessary particularly to amend the Labor Relations Act because it is not exactly an extension of the jurisdiction of the Labor Relations Board. It merely sets up an agency.

Mr. BROWN. Mr. Speaker, may I ask the gentleman, if it is an extension of the jurisdiction of the Pennsylvania State Labor Relations Board authority would there not have to be an amendment to the Pennsylvania State Labor Relations Board Act?

Mr. TURNER. Mr. Speaker, I have not so conceived it, and I am advised by my colleagues at the bar that the Statutory Construction Act would take care of it.

Mr. BROWN. Mr. Speaker, may I have then the colleagues of the gentleman explain to me how you can amend an act by extending its authority and jurisdiction without amending the act which has to do with that authority and jurisdiction.

Mr. TURNER. Mr. Speaker, number three will yield to number two.

The SPEAKER. The Chair now recognizes number two. This is a process of elimination.

Mr. SORG. Mr. Speaker, it is my understanding that under the Statutory Construction Act we can completely nullify the law by simply passing another law.

Mr. BROWN. Mr. Speaker, with that I perfectly agree, but I would like to ask the gentleman whether or not he feels in the light of what was said in the Western Pennsylvania Hospital case, that this act is constitutional as it now stands without an amendment to the Pennsylvania State Labor Relations Board Act, and to quote to the gentleman the language which is pertinent from the Western Pennsylvania Hospital case, from page 389 of that opinion as follows:

"In addition it will be noted that the term 'employer,' as defined by the act excludes the Commonwealth or any political subdivisions thereof."

Therefore at present under our law, under the decision of the Supreme Court of Pennsylvania, the State Labor Relations Board has no authority whatsoever over any employees of the Commonwealth or any political subdivision.

Now, Mr. Speaker, I ask the question, how by giving jurisdiction in this act in the event of a strike, which does not amend the Pennsylvania State Labor Relations Board Act, this present bill 826 is constitutional?

Mr. SORG. That is precisely why we make this provision, Mr. Speaker, that it shall come within the jurisdiction of the Labor Relation Board, because up to the present time the Commonwealth has not been recognized as an employer, and that very case itself gives rise to this particular provision.

Mr. BROWN. The gentleman feels, Mr. Speaker, that the Pennsylvania Labor Relations Board could exercise a jurisdiction which was not conferred upon it by the Legislature, by broadening its powers in an act wholly unrelated insofar as its passage is concerned, with the Pennsylvania State Labor Relations Board Act? Is that what the gentleman believes to be the correct interpretation of the Statutory Construction Act?

Mr. SORG. Mr. Speaker, the gentleman has asked two questions in one. As to the first one, I say the very reason we want this provision in this act is to give legislative authority to the Pennsylvania Labor Relations Board, and, second, under the Statutory Construction Act it is not necessary to specifically refer to any of the other laws relating to the Pennsylvania Labor Relations Board.

Mr. BROWN. Mr. Speaker, then may I ask the gentleman this question, if that is correct, then the constitutional provisions that an act shall have only one subject matter expressed in its title, could be entirely nullified by this Statutory Construction Act under the gentleman's interpretation, because since this is not in the Act now, as the Supreme Court has said it is not, how can we write into the act, without amending the title to the act, and bring in other subject matter within the purview of the act?

Mr. SORG. I repeat that we can completely nullify a law, without even referring to it, by writing an inconsistent provision, Mr. Speaker, and if we can nullify it, certainly we can either modify or extend it in a much milder form.

Mr. BROWN. Mr. Speaker, certainly the gentleman does not contend, and personally I agree with what the

gentleman has said that that means where an act contains a specific subject matter at the present time, and that subject matter does not include the question under discussion, and the constitution requires that all matters must be expressed within the title of the act, that simply by amending an unrelated act, we amend the title of the act to which jurisdiction has been attached? Is that what the gentleman intends to convey to this House?

Mr. SORG. No, Mr. Speaker, it is not my intention to convey that. It is my contention that it is not necessary to amend the title or to amend the Labor Relations Act to give them jurisdiction over public employees of the Commonwealth.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, all of these acts which we have placed as a special order of business in my humble opinion contain serious questions.

This act contains a serious question as to its constitutionality, in its present form, and the right of the State Labor Relations Board to exercise jurisdiction not conferred upon it by the title of the act, which gives life to the Pennsylvania State Labor Board. I cannot understand the reasoning of the gentleman from Elk, Mr. Sorg, and I would ask him whether or not it would be acceptable to him to pass this matter on to the Committee on Judiciary for interpretation.

This is a serious matter. It has nothing to do with the merits of the act. I am not discussing that. I am discussing whether you have any act at all, and I believe the gentleman does not intend to side-swipe the question, but I do believe he is somewhat unfamiliar, because of the pressure of things that he must carry as Majority Floor Leader, and I would ask the gentleman whether or not he would be willing to submit this question to the Judiciary Committee for interpretation and construction.

Mr. SORG. Mr. Speaker, to carry the gentleman's request to its logical conclusion would be to take away the prerogative of every other committee in this House. Every law that we pass lends itself to the question of constitutionality, and the logical step forward from the gentleman's present request would be to insist that every bill that comes out of every committee of this House be passed on to the Judiciary Committee on constitutional grounds, and I, therefore, will not consent to its re-referral to the Committee on Judiciary.

Mr. BROWN. I thank the gentleman from Elk, Mr. Sorg for his rather naive answer. I have not asked that all bills be referred to the Judiciary Committee. Obviously the answer is that nothing is to be done to this bill but to move it on, and the gentleman gives me a rather unique answer. I shall not press the question further but I shall leave it to the courts to decide.

Mr. ANDREWS. Mr. Speaker, I have been interested in this legal discussion. However this is such a bad bill that the worst luck that we could wish for the majority is that they proceed as speedily as possible to enact it. It is a bad bill for the party that sponsors it, and a bad bill for the public.

I have no intention to discuss the measure at any considerable length on second reading. It has two purposes. One purpose is to build a fence around the teachers. It is an anchor cast to windward. In the event that this General Assembly passes a wholly objectionable bill from

the standpoint of the teaching fraternity, here is a fence to fence them in, drive them into line, club them, rule them by a species of legislative terrorism. It has that point of view.

The other objective of this bill is to transfer the burden of relief during a period of unemployment from the Unemployment Compensation Fund to Public Assistance. Those are two very objectionable objectives, so I see no reason why we should discuss this bill at length today until it comes up for final passage in its proper order.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second to fifth sections inclusive and title were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading?

Mr. SORG. Mr. Speaker, before proceeding with the agreement on second reading, I should like to interrogate the gentleman from Cambria, Mr. Andrews.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. ANDREWS. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, I merely wanted to ask the gentleman if I understood him correctly that the bill will be debated on third reading.

Mr. ANDREWS. It will, Mr. Speaker.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 952, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

The first section was read and agreed to

The second section was read.

On the question,

Will the House agree to the section?

Mr. CAPANO offered the following amendments:

Amend Sec. 2 (Sec. 402) page 7, line 3, by striking out the bracket before "(d)".

Amend Sec. 2 (Sec. 402) page 7, line 11, by striking out the bracket after the word "earlier".

Amend Sec. 2 (Sec. 402) page 7, lines 12 to 16 inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 404) page 11, line 17, by placing a bracket before the word "multiplied".

Amend Sec. 2 (Sec. 404) page 12, line 5, by placing a bracket after the word "year" and inserting immediately thereafter "for a period not to exceed twenty-six (26) weeks".

Amend Sec. 2 (Sec. 404) page 18, lines 1 to 21 inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 404) page 19, lines 1 to 21 inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 404) page 20, lines 1 to 21 inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 404) page 21, lines 1 to 21 inclusive, by striking out all of said lines.

Amend Sec. 2 (Sec. 404) page 21, by adding after line 21 the following:

TABLE SPECIFIED FOR THE DETERMINATION OF
RATE OF BENEFITS

(Section 404 Pennsylvania Unemployment
Compensation Law)

Part A Wages Paid in Highest Quarter of Base Year	Part B Weekly Benefit Rate	Part C (Section 401 (a)) Qualifying Wages in Base Year
\$288-312	\$12	\$360
313-337	13	390
338-362	14	420
363-387	15	450
388-412	16	480
413-437	17	510
438-462	18	540
463-487	19	570
488-512	20	600
513-537	21	630
538-562	22	660
563-587	23	690
588-612	24	720
613 or more	25	750

On the question recurring,

Will the House agree to the amendments?

Mr. CAPANO. Mr. Speaker, the bill as reported from Committee proposes to raise the benefits from twenty weeks to twenty-four weeks, also to increase the benefits from twenty dollars to twenty-one dollars.

The amendment which I have offered proposes to increase the benefits from twenty weeks to twenty-six weeks, and the amount or the rate from twenty dollars to twenty-five dollars. The bill as it now stands on the one hand proposes to benefit labor, and on the other hand it holds out a club to strike down labor in the event of strikes, regardless who may be the cause of the strike. That is unfair and unjust. In all labor disputes consideration need be given as to who is the cause of the strike, and we believe that the bill should remain as it now stands regarding the strike clause.

Mr. SORG. I desire to interrogate the gentleman from Washington, Mr. Capano.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. CAPANO. I shall, Mr. Speaker.

Mr. SORG. Mr. Speaker, I have not had an opportunity to examine thoroughly the amendments offered by the gentleman. They were just placed in my hands, and I should like to inquire whether the amendments have for their purpose anything other than their increase in benefits?

Mr. CAPANO. Mr. Speaker, also to restore the strike clause that was formerly in the act.

Mr. SORG. Mr. Speaker, the net effect of the amend-

ment is to write an entirely different bill than that presented for consideration by this House. The twofold purposes of the bill are, number one, to take away the benefits of striking employees and those involved in industrial disputes. The second is to limit or to extend the benefits past the length of time so that Pennsylvania will be made comparable with other similar industrial states. These amendments have the effect of completely nullifying both of the provisions that are incorporated in House Bill 952, as it appears on the calendar. I ask the Members to vote down the amendments.

Mr. COLE. Mr. Speaker, I wish to rise in defense of the amendments to this bill, particularly the one calling for the elimination of benefits to men on strike. The right to strike is one of the basic American rights and I don't think that this Assembly has the right to take that away from the working class of people.

The workers of this country have just as much right to sell their labor for as much as they can get as the farmer has to hold his grain, his cattle, his hogs or any other product he might have for higher prices.

The worker has just as much right to sell his labor to the highest bidder as the business man has to sell his products to the highest bidder.

Labor has the right to determine how and under what conditions it will work. Chief Justice Hughes of the United States Supreme Court has said:

"The legality of collective action on the part of employees in order to safeguard their proper interests is not to be disputed. It has long been recognized that employees are entitled to organize for the purpose of securing the redress of grievances and to promote agreements with employers relating to rates of pay and conditions of work."

So far I have not seen any suggestions from any one to compel the farmers or manufacturers to sell what they grow or produce at a given time or price. Under our competitive system you cannot force a buyer to buy or a seller to sell. Certainly under our system a man can sell his goods or withhold them. The workers of this country have nothing to sell except the labor of their hands and the labor of their brains, certainly they have an equal right under our constitution, under our concept of government, to sell that service or withhold it. If this legislature should pass a law to deprive them of that right then this legislature is changing our form of government. You cannot enact a law and preserve freedom for private investment and for other citizens and force labor to abandon their right to stop working collectively. We did not hear any howl being raised when the farmers held back their products to force higher prices when they had every right to do so. Where was the howl when business in general held everything back in order to force higher prices? Where was the howl when the big firms of the nation refused to make any material for the war effort before they were guaranteed 12% over and above cost. This cost the taxpayers of this nation billions of dollars but that was o.k., that was business. But if workers want to sell the only commodity they have for a higher price then every one is yelling unfair, shackle labor bust up labor unions, deny them their god given right to sell their product to the highest bidder. All the repressive labor bills this house can pass will not do one single thing toward eliminating the basic causes of strikes,

which are a product of insecurity and injustice. Such laws would go far toward making more acute than ever the distress that sometimes boils over in strikes and industrial turmoil. This legislature under the provisions of our Constitution cannot in all fairness and justice pass this kind of legislation. All labor is asking for is the right to sell their product to the best advantage possible, the same right that the farmer, the business man, or any other group has under our form of government.

From time immemorial we have always had to protect the weak from the strong and if you take away the rights of workers to draw unemployment compensation when they are fighting for their rights then you are placing in the hands of big business the weapon to starve the workers in order to bend them to their will. Do the members of this House want to give to the employers of this state this weapon which would give them the power of forcing starvation on their employees in order to bend them to their will? I personally have seen this kind of plan in action on various occasions and have seen this kind of plan cause misery and starvation not only on my own family but on many others.

Mr. Speaker, I would like to go back a couple of years and recite a few things that happened during the depression. I have seen men fired for even mentioning the word "Union." I have seen men fired for selling tickets for a benefit dance to help men who were on strike. I have seen men fired for many different things. I have seen men blacklisted and denied the right of a job and their names were sent on to employers in other counties and all over the same county. They couldn't get a job unless they went under an assumed name and as soon as their name was found out they were fired from the payroll, because they held the courts, they held the borough councils and even the school boards in the palm of their hands. I have seen men go into the mines—and I am speaking from an industrial standpoint because I am a coal miner—I have seen men go into the mine under a system of no pay, and work for one week without getting a cent of pay. I have seen men go into the mine with nothing but water in their buckets because there wasn't enough food in their home for their families. I have seen men work 18 hours a day, who got paid on the basis of 8 hours and no pay for overtime. I have seen the foreman say, "Boys, today you are going to work at the top, and if you don't like it take out your tools." And you couldn't take out your tools because there was no place to go. We had to accept his decision although we didn't like it. Can you blame us that we organized ourselves and went into something that would protect us and give us a decent wage standard? What was the result? I know of a coal company which spent thirty-three million dollars to bust up the United Mine Workers. For ten years that coal company did not pay a dividend to its stockholders. Their employees starved and the only time they came back was after the United Mine Workers had a collective contract which they signed with the Company, and from that time on the men have had a decent living, and the company paid dividends. We have records to prove where under the old system people starved to death. I have seen children faint for want of something to eat. If you didn't have any balance in the office you couldn't get anything. I have seen my own family of six children, my

wife and myself where we had flour in the house and I could not buy a three-cent cake of yeast because I did not have a balance in the Company store. Under those conditions, if you allow the employers of this State to get that kind of weapon in their hands again, it will create considerable difficulty so, therefore, I am asking that this House help to support these amendments and put them across.

Mr. ANDREWS. Mr. Speaker, since we will desire a roll call on these amendments, it is well perhaps that the House clearly understands what the amendments are designed to do.

As I get it, the bill in its present form provides unemployment compensation at the rate of twenty dollars a week for twenty-four weeks. The amendments provide unemployment compensation at the rate of twenty-five dollars a week for twenty-six weeks, and the provision now prevailing under the law, that after a five week period strike benefits from unemployment relief under the amendment are retained in the law as it is at present. The effect of this bill as it stands is just the same as it would be in the case of destitute people. If the employee is destitute and he doesn't get unemployment compensation, under the laws of this Commonwealth he gets public assistance.

Under unemployment compensation, under this bill he would get twenty dollars a week. If he had a family of five children, as many workers do, it is necessary for him to go on public assistance—and you couldn't keep him off of public assistance under your present law if you tried, you would pay him one hundred fifty or one hundred thirty-five dollars a month instead of eighty. It is just another scheme to turn over certain social obligations from the industry to unemployment compensation and to the general public for general relief.

Mr. Speaker, on these amendments we would ask for a roll call.

Mr. SORG. Mr. Speaker, I want to reply briefly to the previous gentleman. First I would like to direct the attention of the first speaker to the fact that there is nothing in this act, nor will there be anything submitted for the consideration of this House, with any administrative support whatever that would involve or make more difficult the collective bargaining process or the very existence of the union organization.

I too have seen injustices rendered through the collective bargaining process and through the activity of labor organizations. With those activities I hold no grievance whatever, but with the gentleman's example of a farmer who holds back his goods, we fail to see analogy, for the simple reason that when he holds back those goods he does not get paid.

This is not a union busting proposition; it is purely a question as to whether or not the public should subsidize the voluntary suspension of work under a law originally designed to create a fund for the protection of the unfortunate who was involuntarily out of work.

With reference to the remarks of the second gentleman, Mr. Speaker, I desire to direct the attention of the Members specifically to the difference in eligibility for public assistance and for unemployment compensation. All he needs to do to become eligible for public assistance is to become hungry, and if his children are hungry and

the farmer is hungry, he is eligible, only if he is destitute. We propose to ask for an appropriation to take care of those situations, but there is a great difference for eligibility for unemployment compensation. It must be an involuntary situation for this act to become effective,, involuntarily unemployed.

I desire also to further state that under the present provisions of the law, even should he receive public assistance at a time when he is sorely in need of it, when he does return to work and accumulate funds, he must make reimbursement to the public who subsidized him during that period. This is not so under the unemployment compensation law. It will not necessarily have the effect in the event these amendments are passed of transferring a person irrevocably from unemployment compensation fund to the relief fund.

Mr. DEMECH. Mr. Speaker, I am a representative of Labor from Luzerne County. I have seen strikes, I have seen a lot of strikes. In fact I want to say to this General Assembly here that a lot of those strikes were caused not by the laboring man but by management.

I have bargained over the table with management, I have bargained for days and nights, we tried to get places with management, we tried to stop strikes. We never went there and asked for strikes, but management would never concur with us.

Mr. Speaker, I am talking in defense of these amendments. It is not labor that is to blame all the time. I have seen it for the past five years that I have been connected with labor and I know how management operates. I don't say that management is the sole blame for everything, and I don't want anyone in here to say that labor is the sole blame for everything. I am here speaking for the benefit of labor.

Mr. Speaker, I ask each and every one of you to vote in favor of the amendments.

Mr. LOVETT. Mr. Speaker, I first want to disagree with the Majority Floor Leader when he says that our amendments destroy the act. That is not true, because our amendments improve the section of the act which increase the benefits and lengthen the benefits from twenty weeks to twenty-six weeks, and twenty dollars to twenty-five dollars, so to my mind that is not destroying the act.

Now, as far as the strike provisions are concerned, we strike them out and leave the law as it is today. To me it is getting to be a funny world that we live in. We are down in Washington appropriating money by the billions and sending it over into foreign countries to protect the democracies. Right here at home we are depriving our people of acting in a democracy. Our democracy gives every man the right to strike. Every manufacturer that I have heard talk agrees with that right. Nevertheless we deprive the men and women of this country, who through no fault of their own have to go on strike, and we in Pennsylvania will deprive our people of that right under this particular bill, where if you agree with these amendments that we offer today we improve this bill before us, and we save the rights of the working women and men of this country to act in a democracy for the good of all I certainly ask every member in this House to support these amendments to this bill.

Mr. SORG. Mr. Speaker. I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I will, Mr. Speaker.

Mr. SORG. Will the gentleman say, Mr. Speaker, that the workers of Detroit, Michigan have the right to strike?

Mr. LOVETT. I don't know whether they do or not, to be honest with the gentleman, Mr. Speaker.

Mr. SORG. Will the gentleman say, Mr. Speaker, whether or not the workers in Ohio have the right to strike?

Mr. LOVETT. I don't know whether they do or not, Mr. Speaker.

Mr. SORG. Will the gentleman say, Mr. Speaker, whether or not the workers in Illinois have the right to strike?

Mr. LOVETT. Mr. Speaker, I would ask the gentleman if there is any other state in this union that the men have a right to strike?

The SPEAKER. Who is interrogating whom?

Mr. LOVETT. Let's be fair, Mr. Speaker. I might state to the gentleman that I am only interested in Pennsylvania.

Mr. SORG. Mr. Speaker, I will answer the gentleman. Every employe in every one of the states of the United States has the right to strike. I would like also to direct the gentleman's attention to the fact that the workers in Michigan have the right to strike, also in Illinois and Ohio and in all of the forty-five states in which there are no unemployment benefits to strikers.

I desire further, Mr. Speaker, to interrogate the gentleman from Westmoreland, Mr. Lovett.

In the event, an employee would be given twenty-five dollars per week under the Unemployment Compensation Law how much would an employee who worked make each hour on a forty hour a week basis.

Mr. LOVETT. That would depend on his wages, Mr. Speaker.

Mr. SORG. I just want to direct the attention of the gentleman to the fact that a single man must work forty hours a week at eighty cents an hour to compare with the work of somebody who gets twenty-five dollars a week and does nothing.

Mr. LOVETT. Mr. Speaker, for the life of me I couldn't fathom why the interrogation. I agree that possibly every man has a right to strike in Pennsylvania and some of the other states that pay them unemployment compensation. I see no reason why after a period of five weeks we should deny paying those men unemployment compensation. You must also realize that this bill does not always just affect the individual who goes on strike. The man is deprived of the right to work due to the fact that the place is on strike, although he may be perfectly willing to go to work. The company sends them home, and under this bill he would not be entitled to unemployment compensation if the particular plant in which he was working was on strike.

For the life of me I cannot see why we in Pennsylvania would step backward instead of forward at this particular time when we are spending thousands and thousands of dollars to build up this Democracy and sell it to the rest of the world. I certainly still ask you to support these amendments.

Mr. ANDREWS. Mr. Speaker, it is in line with the times that the Majority Leader has established a going wage of eighty cents an hour, six dollars and forty cents a day on the basis of a five-day week, thirty-two dollars to make a comparison on that basis.

Now, Mr. Speaker, there has been a wave that has swept this country. It is distinctly a labor-bating, union busting wave, and like all waves it will pass. The American people will return to normalcy, to right thinking. It is inconceivable that having established the right to strike as a fundamental right it should be proposed to punish the man that exercised that right.

And who should stand the burden of unemployment if not industry? Since these rights are so vital and since this bill in its present form is a challenge upon the part of the constituency for which I speak, we accept that challenge now and in the days to come.

Mr. Speaker, I ask for a roll call.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state it.

Mr. BROWN. Mr. Speaker, I have a question to ask the Majority floor leader as to section 3091 on page four. I believe we are discussing now the amendments offered by the gentleman from Fayette or Washington, I don't recall which Mr. Capano. I am not sure whether these amendments had any thing to do with section 3091, on page four.

The SPEAKER. The amendments are all to Section two. They are the amendments to four hundred two and four hundred four.

Mr. BROWN. Mr. Speaker, in order to ask the question that I had in mind of the gentleman from Elk as to section 3091, shall I do that after the roll call or would I do that before the roll call on the first amendments?

The SPEAKER. The Chair might state to the gentleman from Allegheny that it might be done now with unanimous consent, or it can be done after the roll call.

Mr. BROWN. Mr. Speaker, I will wait until after the roll call.

Mr. CAPANO. Mr. Speaker, the principal objection which we have to the bill in its present state is to section D, and it is that section that is so designed that in the event of a strike it punishes only one individual regardless of who precipitates in the strike.

I ask you, Members of the House, what is fair about a bill of that kind, where it does not take into consideration the persons who bring about the strike?

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Andrews and Mr. Lovett.

A verification of the roll was requested by Messrs. Lovett, Petrosky and Weiss.

The roll was verified and was as follows:

YEAS—58

Andrews,	Crowley,	Mazza,	Sarra,
Bane,	Dague,	Mikula,	Scanlon,
Barrett,	Dalrymple,	Mills,	Scott,

Beech,
Bender,
Bentzel,
Boles,
Brown,
Buccini,
Capano,
Chervanek,
Chudoff,
Cochran,
Cole,
Cordier,

De Long,
Demech,
Efenberg,
Erb,
Evans,
Goff,
Kean,
Kemp,
Kirley,
Kohl,
Livingston,
Lovett,

Mooney,
Morrison,
Najaka,
Needham,
O'Connor,
O'Neill,
Petrosky,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Yetzer,

Snider,
Stank,
Swopa,
Thomassy,
Verona,
Wachhaus,
Weidner,
Weiss,
Wheeler,
Yester,
Yetzer,

NAYS—122

Aaronson,
Baumunk,
Bloom,
Bonawitz,
Boorse,
Bower,
Breisch,
Brice,
Brunner,
Cadwalader,
Cook,
Cooper,
Costa,
Davison,
Depuy,
Dix,
Dye,
Elder,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Floor,
Frost,
Gallagher,
Gibson,
Goodling,
Gorman,
Graybill,

Greer,
Griffiths,
Guthrie,
Gyger,
Hall,
Haller,
Helm,
Henry,
Hocker,
Hoffman,
Hoopes,
Horan,
Imbt,
Jennings,
Johnson,
Jump,
Kelley,
Kent,
Kline,
Kratz,
Kurtz,
Laughner,
Laver,
Lee,
Leisey,
Livingstone,
Madigan,
McCormack,
McCosker,
McCullough,
McDonald,

McKinney,
McMillen,
Miller,
Mintess,
Mohr,
Moore, C. E.,
Moore, H. A.,
Murray,
Myers,
Neff,
Nelson,
O'Dare,
O'Donnell,
Orban,
Patten,
Price,
Propert,
Ragot,
Reagan,
Reese, D. P.,
Reilly, J. M.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sax,
Serrill,

Shoemaker,
Smith, C. C.,
Smith, C. M.,
Sollenberger,
Sorg,
Scrout,
Stimmel,
Stockham,
Stonier,
Stuart,
Thompson,
Tittle,
Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Wagner,
Waldron,
Walton,
Waterhouse,
Watkins,
Watson,
Wescott,
Wolf,
Wood,
Yeakel,
Young,
Lichtenwalter,
Speaker.

NOT VOTING—25

Cassidy,
Clevenger,
Dennison,
Getchey,
Greenwood,
Haudenshield,
Hewitt,

Johnston,
Jones,
Krise,
Loftus,
Lyons,
Madden,

Mihm,
Naumann,
Pichney,
Pickens,
Reilly, W. J.,
Schuster,

Simons,
Tahl,
Trout,
Wallin,
West,
Worley,

So the question was determined in the negative and the amendments were not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

Mr. BROWN asked and obtained unanimous consent to interrogate the gentleman from Elk, Mr. Sorg, with reference to Section 1.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I will, Mr. Speaker.

Mr. BROWN. This section (Section 1,) Mr. Speaker, has not been able to get the kind of attention that the section which was the subject matter of amendment received. However, it is a very vital section.

I should like to ask the gentleman from Elk, Mr. Sorg, why brackets were inserted around the words "with the approval of the Attorney General and under rules and regulations adopted therefor." The bracket goes down to line 10, leaving it entirely to the discretion of the Secretary of the Department to grant the compromise and to abate the penalty without making rules and regulations,

unless the amount is in excess of one thousand dollars, when the matter is to be submitted to the Attorney General. I would like to know why this deletion?

Mr. SORG. Mr. Speaker, the only reason I can see for the deletion is this: in order to have definite procedure, that it should go through several hands rather than through a particular department which has jurisdiction, and perhaps making decisions in every other branch of the Unemployment Compensation Law.

Mr. BROWN. Does not the gentleman feel that the Secretary of the Department should be directed by this Legislature to at least adopt rules and regulations for these compromises?

Mr. SORG. I do not see the necessity for rules and regulations, Mr. Speaker.

Mr. BROWN. We were unable, Mr. Speaker, to hear the answer because of the noise.

The SPEAKER. Will the gentleman from Elk, Mr. Sorg, repeat his answer?

Mr. SORG. Mr. Speaker, Section 309.1 permits compromises in those cases where it would be inequitable to insist upon the full penalty and interest. I see no need why there should be particular rules and regulations adopted from time to time, especially when all you need to decide a case is another rule and regulation.

Mr. BROWN. Does not the gentleman feel, Mr. Speaker, that some safeguard should be placed in this section so that those who might be favored would not receive that favor above those who are not so favored?

Mr. SORG. Mr. Speaker, the only conceivable way I could think that that could be accomplished would be to specifically write rules and regulations ourselves for every specific case that might arise. If he is given the authority to write rules and regulations, certainly he should have the authority to make decisions and in that case there isn't any need for formulating a procedure.

Mr. BROWN. There must have been a reason Mr. Speaker, for putting in line 8 originally "with the approval of the Attorney General under the rules and regulations adopted therefor." Does not the gentleman feel that that would be some protection to those who ultimately might not be favored by the Department?

Mr. SORG. Mr. Speaker, I agree that we might be putting in six more pages of safeguards here. I feel nevertheless that there are sufficient safeguards for this measure as there are for any other measure under the jurisdiction of the particular Department.

Mr. BROWN. I wish to thank the gentleman, Mr. Speaker.

The third and fourth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

The SPEAKER. The Chair might ask the gentleman from Washington, Mr. Capano, since his amendments to section 2 were not agreed to, whether he desires to withdraw his amendments to the title?

Mr. CAPANO. Yes, Mr. Speaker.

On the question recurring,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Mr. BROWN. Mr. Speaker, we just passed over House Bill 1076, Printer's No. 588; is that correct?

The SPEAKER. That is correct.

Mr. BROWN. I regret that the Speaker's attention was not attracted. I had several questions I wanted to ask on this bill, but the Speaker was in such a hurry that I was not seen.

The SPEAKER. The Chair might inform the gentleman that he was not in a hurry. If the gentleman had been at the microphone he would have been properly recognized.

If there is no objection the Chair will return to page 5 of today's calendar, House Bill 1076, Printer's No. 588, and withdraws its decision that the bill was agreed to on second reading. The Chair hears none.

On the question recurring,

Will the House agree to the bill on second reading?

Mr. BROWN. I should like to interrogate the gentleman from Elk, Mr. Sorg, Mr. Speaker.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I will, Mr. Speaker.

Mr. BROWN. Mr. Speaker, will the gentleman from Elk, Mr. Sorg, explain the purpose of the amendment to this bill?

Mr. SORG. To what amendments does the gentleman refer, Mr. Speaker.

The SPEAKER. The Chair might inform the gentleman that he must be confused as to the bill. There have been no amendments offered.

Mr. BROWN. Mr. Speaker, will the gentleman explain House Bill 1076, Printer's No. 588.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I will, Mr. Speaker. The purpose of House Bill 1076, Printer's No. 588, is to make it an unfair labor practice by a person or persons who is not an employee to picket while a strike is in progress affecting the place of employment. It is designed primarily to discourage the practice of retaining professional pickets by any employees' organization.

Mr. BROWN. Mr. Speaker, may I ask the gentleman whether the right to picket is a constitutional right, protected under the rights of free speech and free assembly?

Mr. SORG. In reply to the gentleman, Mr. Speaker, I would say that it is.

Mr. BROWN. May I ask the gentleman a further question? Does he feel that the Commonwealth of Pennsylvania can prohibit and make punishable by fine and imprisonment the doing of an act which under the fourteenth amendment to the Constitution secures to every person as an attribute of the fundamental law of the land?

Mr. SORG. Mr. Speaker, I am not aware of any fine or imprisonment provision in this particular law.

Mr. BROWN. Is it not true, Mr. Speaker, that under the State Labor Relations Act that failure to comply with an order can be enforced by a fine or imprisonment?

Mr. SORG. That would be the failure to comply with an order, Mr. Speaker. This law does not contemplate the failure to comply with an order, but provides for a specific prohibition, making it an unfair labor practice which would involve the loss of certain rights given under the law.

Mr. BROWN. If the State Labor Relations Board finds that this is an unfair labor practice and issues an order to desist to the person or persons, and the person or persons refuses to desist, could not those persons be subjected to the fine and penalty provided for by the act?

Mr. SORG. For failure to comply with the order, yes, Mr. Speaker.

Mr. BROWN. Therefore, it would simply mean, Mr. Speaker, that if one who is not an employee of a plant that is on strike would continue to picket, that the State Labor Relations Board could issue a desist order and the person who ignored the order could be fined or imprisoned.

Mr. SORG. That is not my interpretation, Mr. Speaker.

Mr. BROWN. What is the penalty, Mr. Speaker, under this act for refusing to obey what the State Labor Relations Board says is an unfair labor practice?

Mr. SORG. Mr. Speaker, the penalty is on the part of those who seek to establish the practice, or enter into a contract agency for the purpose of establishing picket lines, in which event he would suffer the loss of certain rights under the Pennsylvania Labor Relations Act, after it is established that he is on strike.

Mr. BROWN. Mr. Speaker, does the gentleman mean to convey to this House that the failure then to comply with an order of the State Labor Relations Board, which

has decreed the matter to be an unfair labor practice, does not carry with it any penalty?

Mr. SORG. I do not, Mr. Speaker.

Mr. BROWN. Mr. Speaker, how can the gentleman distinguish between the penalty that would be imposed for refusing to obey an order of the Pennsylvania State Labor Relations Board as against an order issued in any other matter.

Mr. SORG. I did not so state, Mr. Speaker.

Mr. BROWN. That is all.

I am sorry, Mr. Speaker, if in any manner I seem to have hurt the Speaker. We are proceeding with some dispatch in these matters, and I think that time should be given at least for us to so collect the matter which we have that we can intelligently talk about it.

Now, Mr. Speaker, these are serious matters involving curtailment of certain fundamental rights of individuals, and the House should not attempt to refuse to give all the time that is necessary. Certainly I cannot agree with the statements of the Majority Leader that to refuse to obey the order of the State Labor Relations Board in one instance imposes a penalty, and to do the same thing in another instance would not impose a penalty. Certainly there is nothing in the act that would convey such a construction.

The facts are simply these, if the person violates what we are now maintaining is an unfair labor practice, the same punishment would apply as would apply in any other part of the law, and I ask the House a simple question, how can the State of Pennsylvania write a matter which is a constitutional protection in this bill as an unfair labor practice and make them amenable to fine and imprisonment? I would like to have someone answer that question for me.

Mr. SORG. Mr. Speaker, the gentleman must distinguish between the specific prohibition and the failure to comply with a specific order. There is no fine or penalty imposed under this particular section for the specific act. The fine and the imprisonment or whatever the penalty may be, may be applied to the refusal to obey a governmental agency.

Mr. BROWN. Mr. Speaker, for refusing to obey the governmental agency is the order that the governmental agency will issue to cease the picketing. I cannot understand and I am sorry that I am so dense in my mind, that there is a distinction between obeying one order and not another order, and if there is no penalty in this act, as the gentleman says, why do we need it? Who is going to enforce it? If it is going to be enforced it will be enforced under the general provisions of the State Labor Relations Act, which under the general clause,—I do not have the act here, but I think it says, "Any person or persons violating any order of the Commission shall be subject to a fine imposed upon him". I leave the question as I have said before, can the General Assembly of this Commonwealth write into this law punishment and imprisonment for the commission of an act which otherwise under the Constitution of these United States is a fundamental guarantee of each and every person within the confines of the territorial jurisdiction of the United States.

Mr. ANDREWS. Mr. Speaker, I think as a layman I will have to untangle this legal situation. As I read this bill it is not designed to punish anybody who pickets. It

is designed to restrain a labor union which hires anyone who happens to be a member of a picketer's union, who is not employed by the concern that is on strike. Under this bill I can picket, you can picket and nobody can stop you from picketing if you are not hired, but under this bill it is designed if the labor union hires you and you are not working for the place, then they will punish the union, and the only question is whether you can punish a union because I do something I have the legal right to do if I am not paid the picketer's union rate, and that is the whole question. If I picket free, I can picket. If I charge the legal rate, the union rate for the union picketers, then you punish the labor union. That is all this bill does with all deference to the lawyers.

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, as I understand from the explanation of this bill by the gentleman from Cambria, Mr. Andrews, if I was in sympathy with the union which was striking, I would have the right to picket as long as I was not a professional, is that correct?

Mr. SORG. Mr. Speaker, I would even go further than that. I would say you would have the right to picket even if you were a professional.

Mr. CHUDOFF. Suppose, Mr. Speaker, on the day that I was picketing I got tired and I got John Smith to finish the day for me, or for three hours, would I be allowed to hire John Smith to finish the day for me?

Mr. SORG. If John Smith was not an employe of the establishment it would be an unfair labor practice, Mr. Speaker.

Mr. CHUDOFF. Whether a member of the union or a member of the labor organization, is that correct, Mr. Speaker?

Mr. SORG. No, that is not correct, Mr. Speaker. Assuming that the gentleman is a member or an employe.

Mr. CHUDOFF. Supposing I am an employe and I hire somebody, would that be an unfair labor practice, Mr. Speaker?

Mr. SORG. It would be an unfair labor practice, Mr. Speaker, for which I see no penalty.

Mr. CHUDOFF. I thank the gentleman.

Mr. COLE. I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, under the provisions of this bill,—I am taking the coal industry, for instance, we have what we call a union shop contract covering the whole industry. Supposing that the whole industry comes out on a strike, they do not need pickets at the plant where I am working but over at the plant across the river they need some pickets, would I be allowed under this bill to go over there and picket?

Mr. SORG. In my opinion, Mr. Speaker, this bill would declare that an unfair labor practice.

Mr. COLE. I thank the gentleman, Mr. Speaker.

Mr. GOFF. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker. I can take it if the rest of the Members can.

Mr. GOFF. Mr. Speaker, under this act there seems to be an issue here that has not been brought up as yet. We talk about plants, if I might cite a supposed case, if there are two dishwashers at the Harrisburger hotel and they are the sole union and they are continued there and they belong to a dishwasher's union of 100 members, this bill prohibits the other 98 union members from coming down and assuming a place on the picket lines, is that correct?

Mr. SORG. That is correct, Mr. Speaker.

MOTION TO RECOMMIT

Mr. PETROSKY. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor Relations for further study and possible amendment.

On the question,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contribution and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

HOUSE BILL No. 1001 MADE SPECIAL ORDER

Mr. RAGOT. Mr. Speaker, I move that House Bill No. 1001, Printer's No. 394, on page 5 of today's calendar, bills on second reading, be made a special order immediately. The motion was agreed to.

SPECIAL ORDER

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

The first and second sections were read and agreed to. The third section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, would the gentleman be kind enough to inform me why on page two, line 14, is it necessary that these reports shall at all times be open to public inspection?

Mr. SORG. Mr. Speaker, I should like to yield to the gentleman from Northampton, Mr. Ragot, the sponsor of the measure.

The SPEAKER. Will the gentleman from Northampton permit himself to be interrogated?

Mr. RAGOT. I shall, Mr. Speaker.

The SPEAKER. The gentleman will proceed.

Mr. BROWN. The question, Mr. Speaker, is why on page two, line 14, in this bill it places a duty upon the Department of Labor and Industry at all times to keep all these records open to public inspection. I would like to know the reason for that provision.

Mr. RAGOT. Mr. Speaker, I do not see any special reason why they should not be open to inspection all the time.

Mr. BROWN. Does the gentleman know of any other instance in the law where private confidential matters as to the payment of salaries must be filed and be open at all times to public inspection?

Mr. RAGOT. Mr. Speaker, most anybody who handles something for somebody else has to have that kind of a statement.

Mr. BROWN. Can the gentleman specifically point to any other instance in our law where reports on matters such as are contained in this bill have to be filed and open at all times to public inspection?

Mr. RAGOT. I would not be able to answer that question, Mr. Speaker.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, I feel that this is a good bill with possibly one exception, and I think that exception is the thing that defeats the bill. If my memory is correct, and there are lawyers here who can challenge the statement, I do not state it as the result of an exhaustive study, but so far as I have been able to find, the reports that have to be filed as to a persons' income are confidential matters, and can only be secured by those who have an interest or by subpoena from the proper court of proper jurisdiction.

I feel and I can understand how we may feel as to labor. I am not speaking on the question of labor but I do feel that we should not make an exception. I am in high accord with the bill and I see no reason why if organized labor pays me a certain sum of money that that sum

should be here in Harrisburg open to public inspection, to everybody, when, as far as I have been able to find out, no other such inspections are required under the law, and I would like to know from the Majority Floor Leader whether or not he would be willing to make these reports confidential reports such as we find in our income law and the S. E. C. law and all other laws that I know anything about. Would the Majority Floor Leader be willing to accede to that one exception?

The SPEAKER. Does the gentleman desire to interrogate the gentleman from Elk?

Mr. BROWN. I have one question, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. BROWN. The question is would the Majority Floor Leader be willing to strike out of this bill that these records should be open to public inspection and insert a clause therein such as is found in our income tax law and in the S. E. C. law and other laws where confidential communications are required to be filed, that the information filed therein is confidential and can only be secured by parties in interest or upon application to the court of proper jurisdiction for a proper purpose.

Mr. SORG. I am consciously endeavoring to avoid taking any particular stand on this measure. I see many merits in the position sponsored by the gentleman from Northampton, Mr. Ragot, wherein any department or agency is given the authority to inspect. Certainly it is a matter of public interest, when our government steps in, when we provide for such an inspection, and certainly Mr. Speaker, it is a matter that could be of public interest.

It occurs to me, Mr. Speaker, that the records of life insurance companies are open and available at all times through the Insurance Commissioner, where they must be filed. So also with any of the other places of business that are involved here in the Securities and Exchange Commission, and in all cases with the one exception that is in my mind, where it is for the purpose of establishing revenue; it is not a matter of confidence between the individual or organization involved and the government.

Mr. BROWN. The answer is therefore, Mr. Speaker, that you are not willing to insert that provision in this bill?

Mr. SORG. Not without the consent of the sponsor, Mr. Speaker.

Mr. RAGOT. Mr. Speaker, when the question was propounded to me before I did not quite understand the gentleman from Allegheny, Mr. Brown. I have no objection to that amendment providing that it will not close the door to the rank and file members of each union to inspect the records.

Mr. BROWN. Mr. Speaker, I am heartily in accord with any amendment that will be written, and I am for the bill. I do think though that some limitation should be made in order that all the records will not just be public records like a newspaper, and if the gentleman will agree that these amendments will be inserted on third reading, with his approval and in the light of his answer I shall be very glad to sit down with him.

Mr. RAGOT. That is agreeable to me, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Northampton, Mr. Ragot.

The SPEAKER. Will the gentleman from Northampton permit himself to be interrogated?

Mr. RAGOT. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know, and since we are having the president and secretary of labor unions file reports, would he object to an amendment on third reading providing for unions of industry like the Pennsylvania Manufacturers Association and the Chamber of Commerce filing reports?

Mr. RAGOT. Mr. Speaker, those associations which the gentleman from Philadelphia speaks of are not unions. They are not labor unions. This bill applies to labor unions only.

Mr. CHUDOFF. I thank the gentleman.

Mr. Speaker, I cannot agree with the contention of the gentleman from Northampton. I see no difference between labor union and a union of manufacturers or union of industrial magnates, who have unionized themselves for the purpose of getting benefits that they want from the government and from the public.

Mr. COLE. Mr. Speaker, I desire to interrogate the gentleman from Northampton, Mr. Ragot.

The SPEAKER. Will the gentleman from Northampton permit himself to be interrogated?

Mr. RAGOT. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, I understand the gentleman to say just a little bit ago that he wanted to make the thing safe so that the local union back home can get these reports, is that right?

Mr. RAGOT. I said the members of the union should have these reports if they want to look at them.

Mr. COLE. I thank the gentleman.

Mr. Speaker, I would just like to inform the gentleman from Northampton, Mr. Ragot, and the Members of this House, that the unions of this country do send reports to the local unions back home. We have auditors that are elected and they audit the books every six months, and those reports are sent back home to the various local unions and any member of that local union can find out at any time where his money went to, even down to a postage stamp.

I personally am against this bill regardless of how they spent it, because I do not think it is a fair bill to have a labor union file all their affairs with some department when they do not require any other organization of any kind to do the same thing. This kind of a bill could very well mean that an employer could come in and find out how strong financially a union is and could determine from those reports how long the men could hold out, and therefore, this would seriously effect the cause of collective bargaining.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fourth section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 643, entitled:

An Act to amend Sections four hundred two four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand

nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and amending revising consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated furbearers and changing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private school and classes

The first section was read.

On the question,

Will the House agree to the section?

Mr. DAVID P. REESE with the consent of the sponsor offered the following amendment:

Amend sec. 1, page 1, line 2, by striking out the words "Fifteen Thousand Dollars (\$15,000)" and inserting in lieu thereof "twenty-five thousand dollars (\$25,000)."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76

Senate Bill No. 246, Printer's No. 83

Senate Bill No. 314, Printer's No. 93 and

Senate Bill No. 316, Printer's No. 94

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 334, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities

The first section was read.

On the question,

Will the House agree to the section?

Mr. TURNER offered the following amendments:

Amend sec. 1 (sec. 4), page 13, line 5, by inserting after

the word "thereby" the following: "according to the foot front rule."

Amend sec. 1 (sec. 4), page 13, line 7, by striking out "anad" and inserting in lieu thereof: "and."

Amend sec. 1 (sec. 18), page 21, line 18, by striking out "Construction" and inserting in lieu thereof: "constructing."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. TURNER offered the following amendment:

Amend Title, page 2, last line of title, by inserting after the word "Authorities" the following: "authorizing Authorities to charge the cost of constructing lateral sewers against properties benefited, improved or accommodated thereby; making such charges liens; providing for the enforcement thereof; and authorizing Authorities to charge tapping fees for sewer connections."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 338, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Mr. SOLLENBERGER. Mr. Speaker, I desire to call up House Bill No. 417, Printer's No. 593 on page 2 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 417, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the minimum compensation and increments of members of the teaching and supervisory staffs of school districts and vocational school districts county superintendents assistant county superintendents and district superintendents and providing for reimbursement by the Commonwealth and repealing certain provisions of said act

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. SOLLENBERGER. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar for a period of not longer than five days.

The SPEAKER. The Chair might inform the gentleman that under the Rules that is the limit, five legislative days.

On the question,

Will the House agree to the motion?

Mr. ANDREWS. Mr. Speaker, I believe under the circumstances that have developed that the motion as made by the gentleman from Blair is in line with sound procedure. This House by majority sentiment, I believe, is committed to the major portions and the theory of House Bill 417.

There has appeared in this General Assembly another bill in the other chamber. Neither house in the negotiations that must inevitably be staged should be placed at a disadvantage. I am willing to concede that this House should not be forced willy-nilly to accept a Senate bill, and I am willing to concede that the other Chamber has certain prerogatives and should not be forced willy-nilly to accept a House bill, if it is possible for the two Houses by sensible negotiations to arrive at an understanding. The arrangement that the gentleman from Blair has proposed will give this House a sounder position in conference than it would have if we had to go into conference solely upon the basis of a Senate bill.

On the question recurring,

Will the House agree to the motion?
It was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 601, as follows:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorder and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in certain counties in the indexes for deeds and indexes for mortgages

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" is hereby amended to read as follows

Section 1 Be it enacted &c That in the addition to the indexes which the recorder of deeds in each county of this commonwealth is required to keep the said recorder shall carefully and accurately prepare and keep in his office two general indexes of all deeds recorded therein in one of which to be known as the direct index he shall enter in their order the name of the grantor the name of the grantee the volume and page wherein the deed is recorded and in the other to be known as the ad sectum index he shall enter in their order the name of the grantee the name of the grantor the volume and page wherein the deed is recorded He shall in like manner also prepare and keep two general indexes one direct and the other ad sectum of all mortgages recorded in his office except in counties of the first class he shall hereafter enter in both said indexes of deeds and in both the indexes of mortgages the date of recording and the name of the city or borough or township and the number of the ward thereof if any in which the property affected is stated in the recorded instrument to be located and the primary as well as the permanent indexes shall contain the foregoing entries as to date of recording and locality of each property affected Provided That where an instrument affects property in more than one ward city borough town or township and the space on the index is insufficient to permit the writing of the locality of each property affected the name of the county alone shall be full compliance with this act Said indexes shall be arranged alphabetically and in such a way as to afford and easy and ready reference to said deeds and mortgages respectively and shall be written in a plain and legible hand Provided however That in any county where such indexes have already been prepared and in use or where and special law relating to any of said indexes is now in force they shall be adopted and kept as if made in pursuance of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Seauuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Probert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarrat,	Speaker.

NAYS—0.

NOT VOTING—2.

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 852, as follows:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporation for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby deleted as indicated or amended to read as follows

Route 04051 Beginning at a point on Route [640 near the John Woung farm] 204 about one mile west of Route 04032 thence northerly in Chippewa Township and Big Beaver Township to a point on Route 04044 in Beaver County a distance of about [2.5] 1.7 miles

Route 05046 Beginning at a point on Route 118 approximately two miles east of Grandview in Juniata Township Bedford County thence northerly through Juniata Township to a point on the Juniata-Napier Township line approximately 0.75 of a mile east of the Bedford-Somerset County line thence northeasterly through Napier Township to the Village of Helixville thence [southeasterly to a road intersection approximately two miles west of the Borough line of Schellsburg] northerly and easterly to a point on Route 05043 about one mile southwest of Route 365 in Bedford County a distance of about [6.8] 5.9 miles

[Route 08157 Beginning at a point on Route 08115 about 0.25 of a mile West of the Susquehanna County line thence northeasterly in Tuscarora Township to a point on the Susquehanna County line in Bradford County a distance of about 1.4 miles]

Route 15178 Beginning at a point on Route 15110 about 2.55 miles north of the intersection of Routes 15110 and 541 thence in northeasterly and northerly direction through Highland and East Fallowfield [and Valley] townships by way of Glenrose [and crossing] to Route 15067 at Briartin [to a point on State-aid application 3835 at Westwood] in Chester County a distance of about [2.62] 1.74 miles

[Route 15227 Beginning at a point on Route 15106 about 0.2 of a mile northwest of Route 15107 thence extending in a northeasterly direction through Willistown Township to a point on Route 15228 about 1.1 miles southeast of the Malvern Borough-Willistown Township line in Chester County a distance of about 1.2 miles]

[Route 15232 Beginning at a point on Route 15147 at Fontaine thence northwesterly in Honey Brook Township to the Lancaster County line in Chester County a distance of about 1.4 miles]

Route 17093 Beginning at a point on Route 17056 near Center School about 1.9 miles northwest of its intersection with Route 17057 thence in a northeasterly direction through Decatur Township to a point on Route [17057] 17125 about 0.3 of a mile northwest of [Drane] New Liberty in Clearfield County a distance of about [0.4 of a mile] 1.8 miles

Route 17108 Beginning at a point on Route 17038 about 0.7 of a mile northwest of Glen Richey thence northwesterly to a point on Route 869 about 0.4 of a mile southeast of the Village of Susquehanna Bridge thence extending in a northwesterly and northeasterly direction by way of Driftwood School through Lawrence Township to a point on Route 59 near the Village of Riverview in Clearfield County a distance of about [3.5] 4.5 miles

Route 18040 Beginning at a point on Route 105 at Hyner thence in a northeasterly direction through Chapman Township Clinton County for a distance of about [1.0 mile] 2.5 miles to a Forestry Road

Route 19008 Beginning at a point on Route 19006 approximately 1.0 mile southeast of Newlin thence easterly through Locust Township to Mill Grove thence easterly

northerly and westerly through Roaring Creek Township to a point on Route 19005 [approximately 0.7 of a mile east of Mill Grove] at Kulp in Columbia County a distance of about [1.5] 4 miles

Route 19057 beginning at a point on the Lycoming-Columbia County line about 1.0 mile north of Pine Summit thence easterly through Pine Township approximately 1.0 mile to Shingle Run thence [southerly along Shingle Run] northerly and easterly through Pine Township to the intersection of State Highway Route [303 approximately 1.5 miles northwest of its intersection with State Highway Route] 239 in Columbia County a distance of about [3.3] 3 miles

Route 21028 Beginning at a point in Monroe Township intersecting Route 21029 about one mile south of Churchtown thence through Monroe Township by way of Churchtown intersecting Routes 125 and 507 to a point intersecting Route 305 about one and one-half miles west of Locust Point thence northwesterly through Silver Springs and Middlesex Townships to an intersection with Routes 21011 and 21066 in Cumberland County a distance of about [3.2] 6.1 miles

Route 21069 Beginning at a point on Route [34 near Salem Church] 507 approximately one mile east of Mechanicsburg thence southeasterly through Hampden and Lower Allen Townships to an intersection with Route 21014 near Rossmoyne in Cumberland County a distance of about [5.0] 2.9 miles

[Route 21078 Beginning at a point on Route 21015 about 1.5 miles north of Route 708 thence easterly and northerly along Conodoguinet Creek through East Pennsboro Township to a] [point on Application 231 in Cumberland County a distance of about 1.6 miles]

[Route 23078 Beginning at a point on Route 421 about Station 102 in Nether Providence Township and extending in a northwesterly direction through Nether Providence Township to a point at the intersection of Wallingford and Manchester Avenue in Delaware County a distance of about .7 of a mile]

Route 25002 Beginning at a point on [Route 709 about two miles east of] the Ohio State line [at] thence easterly to Brown School Corners thence easterly and southerly in Coneaut Township through Cherry Hill and Kidders Corners to a point on Route 85 at Runyans Corners about .25 of a mile west of Albion Borough in Erie County a distance of about [7.3] 8.8 miles

Route 25061 Beginning at a point on the east line of Wattsburg Borough thence northeasterly in Venango Township along Spafford Run to a point on the public road near Tracy School about 1.5 miles west of the west line of New York State [thence northerly in Venango Township via Brummigen Corners and Macedonia School to the south line of Greenfield Township thence northerly in Greenfield Township via Wilson School Ashton Corners and Bulls Corners to the south line of Northeast Township thence northerly in Northeast Township to the Findley Lake Road at Burd School] in Erie County a distance of about [12.4] 1.18 miles

[Route 26066 Beginning at the intersection of State Route 113 about .25 of a mile southeast of Brownsville and extending in a northwest direction to the Brownsville Borough line in Fayette County a distance of about .46 of a mile]

[Route 26106 Beginning at a point on the Monongahela River at Huron Station in German Township and extending in a southeasterly direction of Big Tree in Fayette County a distance of about .6 of a mile]

Route 26120 Beginning at the intersection of the improved county road and Route 26107 near Tippecanoe] eastern end of Route 26020 thence in a general southerly direction through [Redstone and] Franklin [Townships] Township to a point on Route 26022 about 0.2 of a mile west of the Smock School in Fayette County a distance of about [2.2 miles] 0.7 of a mile

Route 27010 Beginning at [an intersection with Route 253 about .5 of a mile northeast of Nebraska being the Guitonville Road extending east and northeast in Greene

Township to a point on the Greene-Kingsley Township line thence northeasterly and southeasterly through corner of Kingsley Township to a point on the Kingsley-Greene Township line] a point on Route 27019 about one mile south of Nebraska thence through Green Township via [Geebuck Corners] Golinza and Guitonville to a point on the Greene-Kingsley Township line thence through southeast corner of Kingsley Township via Muzette Corners to a point on the Kingsley-Jenks Township line about 1.25 miles north of southeast corner of Kingsley Township thence easterly in Jenks Township via Williams Station and Peters Corners to an intersection with Route 380 [at] near Roses in Forest County a distance of about 13.1 miles

Route 31010 Beginning at a point on Route [31008 about 2 miles north of Route] 192 about three miles north of the Fulton County line thence easterly and northeasterly through Clay Township to a point on the south Borough line of Three Springs in Huntingdon County a distance of about [5.07] 4.34 miles

Route 31031 Beginning at a point on Route 193 approximately one-quarter mile south of Georges Creek in Tell Township Huntingdon County thence southeasterly through Tell Township to a point on Route 45-Spur in the Village of Blairs Mills thence [northerly] southerly to a point on the [Huntingdon] Juniata County line approximately one-eighth mile [west] south of [Tuscarora] Narrows Creek in Huntingdon County a distance of about [3.3] 4.34 miles

Route 31049 Beginning at a point on Route 121 approximately one-eighth mile north of the Black Log Railroad Station in Cromwell Township Huntingdon County thence northerly through Cromwell Township along Black Log Creek to a point on the Cromwell-Shirley Township line thence northerly through Shirley Township to a point [on the Juniata-Huntingdon County line] of intersection with Route 31097 in Huntingdon County a distance of about [11.6] 8.32 miles

[Route 31053 Beginning at a point on Route 261 in the Village of Donation in Oneida Township Huntingdon County thence northwesterly through Oneida Township to a road intersection at the Donation School thence northerly to a point on the Oneida-West Township line approximately three-eighth mile south of Horn Run in Huntingdon County a distance of about 1.5 miles]

[Route 31063 Beginning at a point on Route 352 approximately one and five-eighth miles southwest of the Village of Cottage in West Township Huntingdon County thence easterly through West Township along Shaver Creek in Huntingdon County a distance of about 0.4 miles]

[Route 33072 Beginning at a point on Route 33036 about 0.6 of a mile south of Trout Run School thence in an easterly direction through Bell and Henderson Townships to the Big Run Borough line in Jefferson County a distance of about 2.8 miles]

Route 34001 Beginning at a point in Lack Township [on the boundary line between Juniata and Huntingdon Counties about three miles north of the point of intersection between Juniata Huntingdon and Franklin Counties] on Route 45 about .4 of a mile northeast of Waterloo thence [northeasterly] northerly through Lack Township to a point intersecting Route 193 at Cross Keys in Juniata County a distance of about [6.06] 5.8 miles

Route 39055 Beginning at a point on Route 39057 in Heidelberg Township approximately 1.75 miles northwest of Newside thence northerly through Heidelberg and Washington Townships [Crossing] to a point on Route 39054 [thence to a point where it intersects state-aid application 745 at Lehigh Furnace] in Lehigh County a distance of about [2.75] 1.26 miles

[Route 39095 Beginning at a point at the intersection of Welshtown road and the Borough Line of Slatington thence northwesterly and westerly through Washington Township to a township road thence southerly to a township road thence southwesterly and southerly to a point on application 745 about 0.2 of a mile west of the

intersection of Route 39096 and application 745 in Lehigh County a distance of about 2.6 miles]

Route 41001 Beginning [at a point on the Lycoming-Clinton County line about 2.5 miles northwest of the corner between Clinton Union and Lycoming Counties thence northeasterly through Washington Township along White Deer Hole Creek to] in Texas Village thence northeasterly through Washington Township to the intersection with State Highway Route 176 at Elimsport in Lycoming County a distance of about [8.9] 3.7 miles

[Route 43003 Beginning at the Lawrence-Mercer County line and running in a northwest direction in Shenango Township past Oak Hill Schol to a point of intersection with the New Bedford-Middlesex Road at Clark's Corners in Mercer County a distance of about 1.6 miles]

Route 43006 Beginning at [State Route 238 at Clark's Corners and running east through Shenango Township to a point on the dividing line between Shenango and Lackawannock Townships thence in a generally northwesterly direction by way of] a point on Route 43005 at Carbon Crossroads thence to Strubble Corners thence north through Greenfield and continuing north in Lackawannock Township to a point on the dividing line between Lackawannock and Jefferson Townships across State Route 74 at Charleston and continuing north in Jefferson Township to a point of intersection with State Route 320 at the Seth Fruit Farm in Mercer County a distance of about [10.8] 9.4 miles

Route 43016 Beginning at a point on the dividing line between Lawrence and Mercer Counties about .75 of a mile east of Number 2 Mine and running north through Springfield Township [by way of Number 5 Mine and Blacktown to a point on the dividing line between Springfield and Findley Townships thence north in Findley Township] to a point of intersection with State Route [73 known as Uber's Corners] 43014 in Mercer County a distance of about [5.8] 2.07 miles

Route 49056 Beginning at a point on Route 49055 near its intersection with Route 49054 thence northerly through East Chillisquaque Township to the intersection with State Highway Route 259 at Pottsgrove thence northerly in East Chillisquaque and Turbot Townships to a point on Route 635 in Northumberland County a distance of about [1.5] 3.7 miles

[Route 49070 Beginning at a point on State Highway Route 336 in Coal Township about 1.5 miles northwest of Shamokin Borough thence northeasterly through Coal Township to its intersection with State Highway Route 161 about .5 of a mile south of Weigh Scales in Northumberland County a distance of about .6 of a mile]

[Route 49080 Beginning at a point on Route 49081 approximately 0.7 of a mile south of its intersection with Route 49027 thence in a westerly direction through Rockefeller Township to a point on Route 49027 about 1.0 mile south of the intersection of Route 49027 and 49028 in Northumberland County a distance of about 0.8 of a mile]

[Route 49081 Beginning at a point on Route 49080 about one half mile south of Seven Points thence northerly in Rockefeller Township to a point on Route 49027 about 0.1 of a mile west of its intersection with Route 49028 in Northumberland County a distance of about .7 of a mile]

[Route 49106 Beginning at a point on Route 182 at Union Corner thence in a westerly direction through Rush Township to a point on Route 49074 about 1.0 mile south of its intersection with Route 49074 about 1.0 mile south of its intersection with Route 49040 in Northumberland County a distance of about 5.4 miles]

[Route 49112 Beginning at a point on Route 49007 about 0.1 of a mile east of the Dauphin-Northumberland County County line thence northerly and westerly through Jordan and Lower Mahanoy Townships to a point on Route 336 near Route 49003 in Northumberland County a distance of about 2.5 miles]

Route 50001 Beginning at a point in [Toboyne] Jackson Township at [a point on a township road along Houston Run about .5 of a mile west] the west end of a bridge across Houston Run about 1.4 miles east of the Jackson-Toboyne Township line thence easterly and northerly

through [Toboyne and] Jackson [Townships] Township to a point on the southern boundary line in Blain Borough thence from a point on the northern boundary line of Blain Borough easterly through Jackson Southwest Madison Northeast Madison and Saville Townships by way of Stony Point and Kistler intersecting Route 59 to a point in Saville Township intersecting Route 191 at Ickesburg thence from a point in Saville Township intersecting Route 191 about .5 of a mile southwest of Ickesburg easterly and southerly to a point intersecting Route 591 at Eschol thence from a point in Tuscarora Township intersecting Route 591 about .5 of a mile east of the Tuscarora-Saville Township line easterly through Tuscarora Township to a point intersecting Route 50024 about one mile southeast of Route 191 in Tuscarora Township thence from a point on Route 31 about .25 of a mile south of Millerstownorough in Greenwood Township in an easterly direction through Greenwood and Liverpool Townships by way of Reward and Berlee to a point on the western boundary line of Liverpool Borough in Perry County a distance of about [38.46] 36.4 miles

Route 50015 Beginning at a point in Watts Township intersecting Route 275 about [1.5 of a mile] 2.75 miles north of Amity Hall thence [northeasterly and] easterly to a point on the northern boundary line of New Buffalo Borough thence [from a point on the northern boundary line of New Buffalo Borough] northerly through Watts Township to the intersection of a township road leading to Half Falls about .5 of a mile south of the Watts-Buffalo Township line in Perry County a distance of about [6.42] 5.41 miles

Route 50036 Beginning at a point on Route 50004 about 0.5 of a mile east of Pine Grove School thence in an easterly direction through Miller Township to the Wheatfield Township line near Losh Run Station in Perry County a distance of about 3.8 miles

Route 50050 Beginning at a point on Route [5008 about 0.2 of a mile east of the Jackson-Southwest Madison Township line in Couchtown] 50001 south of Blain thence extending in an easterly direction via Couchtown and Green Grove School through Jackson Township and Southwest Madison Township to a point on Route 50009 near Shermans Creek in Perry County a distance of about [2.7] 4.1 miles

Route 53047 Beginning at the Northumberland County line west of Klingerstown thence easterly through Upper Mahantango Township to Hepler thence easterly through Upper Mahantango and Eldred Townships to the intersection with Route 723 about .5 of a mile east of Pitman thence easterly to a point on Route 53055 in Schuylkill County a distance of about [13.4] 12.55 miles

Route 54001 Beginning at a point on the Juniata County line about six miles east of the corner between Mifflin Juniata and Snyder Counties thence easterly along the West Branch of Mahantango Creek a distance of about three miles thence northerly and easterly through West Perry and Perry Townships to the intersection with State Highway Route 193 about 1.5 miles north of Mt. Pleasant Mills in Snyder County a distance of about 8.6 miles

Route 55007 Beginning at a point on State Highway Route [195 about 1.5 miles South of Middleburg thence southeasterly through Franklin and Washington Townships to the crossing of State Highway Route 194 about two miles west of Freeburg] 54016 near its intersection with Route 54017 thence southerly through Washington Township to the Chapman Township line thence southeasterly through Chapman Township to the line between Chapman and Union Townships thence southeasterly along the Chapman-Union Township line to the intersection with State Highway Route 229 about three miles northeast of McKees Half Falls in Snyder County a distance of about [11.4] 7.05 miles

[Route 54020 Beginning at a point on State Highway Route 229 about 1.5 miles south of the crossing of Middle Creek thence westerly through Union Township to the intersection with Route 54014 about 0.5 of a mile north

of Verdilla in Snyder County a distance of about 1.7 miles]

Route 54021 Beginning at a point on State Highway Route 229 just south of the bridge over Middle Creek thence westerly through Union and Penn Townships to [the crossing of Middle Creek at the Washington Township line and the intersection with] Route [54014] 54051 in Snyder County a distance of about 1.4 miles

Route 56023 Beginning at a point on [the Bradford County line at the end of] Route 56018 about .8 of a mile southwest of the Bradford County line thence southeasterly through Forks Township along Black Creek to the Cherry Township line thence easterly through Cherry Township to the western boundary of Dushore Borough in Sullivan County a distance of about [6.8] 7.15 miles

Route 57020 Beginning at a point on Route 57010 Lathrop Township approximately .5 of a mile East of Springville Township line thence northerly through Lathrop Township intersecting Route 57019 thence northerly through Lathrop and Brooklyn Townships thence northeasterly through Brooklyn Township [crossing County Road at] via Lindaville thence northerly through Brooklyn Township crossing Route 9 Spur [and County Road] near Brooklyn [in Brooklyn Township] to a point where it intersects Route [174 approximately 1.75 miles southwest of Alford] 57110 in Susquehanna County a distance of about [7.43] 6.7 miles

Route 57073 Beginning at a point on Route 57074 [Silver Lake Township at] 1.2 miles southeast of Brackney thence northerly and easterly through Silver Lake and Liberty Townships intersecting Route 57072 thence to a point where it intersects Route 263 at Brookdale in Susquehanna County a distance of about [6.47] 5.9 miles

Route 57082 Beginning on Route 57086 approximately [2.5 miles] one mile south of the Apolacon Township line thence in a [northeasterly] southeasterly direction through Middletown Township to Jackson Valley thence in a southeasterly direction thence easterly crossing Route 468 near Middletown Center intersecting Route 57088 thence northeasterly through Middletown Township to the southeasterly boundary line of the Borough of Friendsville thence from the northerly Borough line of Friendsville in a northerly direction through Choconut Township to a point where it intersects Route 57083 approximately 1.5 miles east of the Apolacon Township line in Susquehanna County a distance of about [10.41] 10.66 miles

[Route 57100 Beginning at a point on Route 57098 about 0.4 of a mile south of Transue School thence southwesterly through Auburn Township to the Bradford County line in Susquehanna County a distance of about 0.3 of a mile]

[Route 57118 Beginning at a point on Route 468 about 0.5 of a mile north of Middletown Center thence in a northeasterly direction through Middletown and Apolacon Townships to the Friendsville Borough line in Susquehanna County a distance of about 2.9 miles]

Route 57124 Beginning at a point on Route [57078 about 0.2 of a mile south of Route 57116] 57074 about 1.2 miles north of Laurel Lake thence easterly and southeasterly through Silver Lake and Liberty Townships to a point on Route 57075 about 1.0 mile west of Lawsville Centre in Susquehanna County a distance of about [6.3] 4.3 miles

[Route 57136 Beginning at a point on Route 365 about 0.5 of a mile south of Gelatt thence in a northwesterly direction through Gibson Township to a road intersection near the outlet of Stearns Lake in Susquehanna County a distance of about 1.0 mile]

Route 59016 Beginning at a [point on State Highway Route 27 at] road intersection about 1.5 miles north of Dry Valley Crossroads thence northerly through [Union and] East Buffalo [Townships] Township to the intersection of State Highway Routes 24 and 26 near the Lewisburg High School in Union County a distance of about [4.8] 3.5 miles

Route 63021 Beginning at a point on State Highway Route [575 approximately one mile west of Wilsonville

in Paupack Township thence westerly through Paupack Township touching State Highway Route 575 at Uswick thence northwesterly through Paupack and Cherry Ridge Townships to a point where it intersects State Highway Route 171 near Hoadleys thence northerly to an intersection with Route 63034 in Wayne County a distance of about [7.4] 7.74 miles

Route 63027 Beginning at a point on [a county road] Route 335 approximately .25 of a mile northwest of Narrowsburg New York thence northerly through Damascus Township intersecting Route 63029 at Milanville thence northerly through Damascus Township intersecting county road a Damascus thence northerly through Damascus Township thence westerly through Damascus Township intersecting Route 63045 thence northwesterly through Damascus and Manchester Townships thence southwest-erly through Manchester and Damascus Townships to a point where in intersects State Highway Route 173 approximately .9 of a mile south of the Village of Lookout in Manchester Township in Wayne County a distance of about [21.95] 20.5 miles

Route 63038 Beginning at a point on State Highway Route [583] approximately .5 of a mile northeast of the junction of Susquehanna Lackawanna and Wayne Counties] 949 about 1.25 miles north of the intersection of Route 63037 thence easterly through Clinton Township [crossing county road thence easterly through Clinton Township] to a point where it intersects State Highway Route 227 at Aldensville in Wayne County a distance of about [6.9] 2.1 miles

Route 63046 Beginning at a point at the present end of county road in the Village of Stalker in Manchester Township thence southeasterly through Manchester Township to a point where it intersects a secondary township road in Wayne County a distance of about 1.35 miles]

Route 63053 Beginning at a point on the present northerly end of State Highway Route 584 in Preston Township thence in a northwesterly direction through Preston Township to a point where it intersects Route [63051] 63060 [approximately .75 of a mile east of Lake-wood] in Wayne County a distance of about [3.85 miles] 57 of a mile

Route 63071 Beginning at the eastern terminus of Route 63037 thence in a southerly direction through Clinton Township to an intersection with Route 63036 [thence in an easterly and northerly direction to a point on Route 227 about 0.5 of a mile south of Eldenville] in Wayne County a distance of about [3.9] 1.4 miles

[Route 63072 Beginning at a point on Route 63033 directly east of Glass Pond No 1 thence extending in a westerly and southwesterly direction along the south-eastern side of Glass Pond No 1 in Dyberry Township Wayne County a distance of a about 0.9 mile]

[Route 63074 Beginning at a point on Route 335 about 1.5 miles southwest of Beach Lake thence in a north-westerly and northeasterly direction through Berlin Town-ship to a point on Route 63030 about 1.25 miles south of the Damascus-Berlin Township line in Wayne County a distance of about 2.9 miles]

[Route 63075 Beginning at a point on Route 63027 about 3.0 miles south of Milanville thence in a westerly direc-tion through Damascus Township to a road intersection in Wayne County a distance of about 1.5 miles]

[Route 63076 Beginning at a point on the Belmont and Eastern Turnpike Road near the Clinton-Mt Pleasant Township line thence in a general southeasterly direction through Clinton and Mt Pleasant Townships to a point on Route 227 about 0.5 of a mile south of the Clinton-Mt Pleasant Township line in Wayne County a distance of about 1.4 miles]

[Route 63082 Beginning at the intersection of Route 63017 and 63034 thence southeasterly in South Canaan and Cherry Ridge Townships to a point on Route 63068 near Clemo in Wayne County a distance of about 3.1 miles]

[Route 63084 Beginning at a point on Route 949 about 1.0 mile south of its intersection with Route 227 thence westerly in Mt Pleasant Township to the Susquehanna

County line in Wayne County a distance of about 0.8 of a mile]

[Route 63090 Beginning at a point on Route 945 at Rileyville thence in a northeasterly direction through Leb-anon and Damascus Townships to a point on Route 173 about 0.7 of a mile south of its intersection with Route 63027 in Wayne County a distance of about 4.4 miles]

[Route 63095 Beginning at a point on Route 172 about 0.3 of a miles east of its intersection with Route 63013 thence in a northeasterly direction through Salem Town-ship to an intersection with Route 171 and Route 949 in Wayne County a distance of about 1.9 miles]

Route 63098 Beginning at a point on Route 63059 near the New York State line thence southwesterly through Scott Township [to a road intersection in] by way of the Village of Sherman to a road intersection one mile southwest of the Village of Sherman in Wayne County a distance of about [1.6] 2.6 miles

Route 63099 Beginning at a point on Route 950 about [1.0 mile] 1.5 miles northwest of the Pike County line thence southwesterly through Palmyra Township to a point on the Hawley Borough line in Wayne County a distance of about [1.6 miles] 1.0 mile

[Route 63100 Beginning at a point on Route 949 about 2.0 miles north of South Canaan thence westerly through South Canaan Township to a point on the Lackawanna County line in Wayne County a distance of about 2.4 miles]

[Route 63101 Beginning at a point on Route 945 about 0.1 of a [mile west of Route 63045 thence southwesterly through Damascus Township to a road intersection about 0.7 of a mile south of Tyler Hill in Wayne County a dis-tance of about 2.9 miles]

[Route 66126 Beginning at a point on Route 66062 at Ailston thence northeasterly through Peach Bottom Town-ship in York County a distance of about 0.5 of a mile]

Section 2 Said act is hereby further amended by adding thereto the following new routes

Beaver County

Route 04124 Beginning at a point on Route 347 in the Village of Frisco about 0.3 of a mile east of the inter-section of Routes 482 and 347 thence in a northerly direc-tion through Franklin Township to a point on the Beaver-Lawrence County line about 0.15 of a mile east of the Connoquenessing River in Beaver County a distance of 0.4 of a mile

Bradford County

Route 08190 Beginning at a point on Route 08032 about .5 of a mile north of Spring Hill thence southerly through Tuscarora Township to a road intersection in Bradford County a distance of about 1.3 miles

Chester County

Route 15236 Beginning at a point on Route 360 at Ercildown thence northeasterly in East Fallowfield Town-ship to a point on Route 15067 in Chester County a dis-tance of about 0.7 of a mile

Route 15237 Beginning at a point on Route 274 at Cochranville thence southerly and southeasterly in West Fallowfield and Londonderry Townships to a point on Route 15032 at Daleville in Chester County a distance of about 3.1 miles

Clearfield County

Route 17124 Beginning at a point on Route 313 about 0.7 of a mile south of Morrisdale thence in an easterly northerly and westerly direction in Morris Township to a point on Route 313 in the Village of Morrisdale in Clear-field County a distance of 0.7 of a mile

Route 17125 Beginning at a point on Route 57 about 1.5 miles southwest of the Borough of Chester Hill thence in a westerly and northeasterly direction in Decatur Township to a point on Route 17058 at Gearhartville in Clearfield County a distance of about 1.43 miles

Route 17126 Beginning at a point on Route 17052 at the Village of Lecontes Mills thence in a general north-westerly direction through Girard Township to a road

intersection 1.5 miles northwest of the Village of Gillingham in Clearfield County a distance of 5.4 miles

Cumberland County

Route 21094 Beginning at a point on Route 507 at Spanishtown thence northerly through Hampden Township to an intersection with Route 34 in Cumberland County a distance of about 0.5 of a mile

Delaware County

Route 23123 Beginning at a point on Route 421 about 0.8 of a mile south of Route 23013 thence in a northeasterly direction through Nether Providence Township to a point on Route 23070 about 0.1 of a mile west of Crum Creek in Delaware County a distance of about 0.70 of a mile

Elk County

Route 24030 Beginning at a point on the Elk-Jefferson County line at the end of Route 33048 thence in a northeasterly and northwesterly direction through Horton Township to a point on Route 59 about 0.2 of a mile east of the Elk-Jefferson County line in Elk County a distance of about 2.50 miles

Erie County

Route 25120 Beginning at a point on Route 761 at its intersection with the Bartlett Road thence in a northwesterly direction through Harbor Creek Township to a point on Route 495 about 0.25 of a mile southwest of Elliotts Run in Erie County a distance of about 1.20 miles

Route 25121 Beginning at a point on Route 25102 about one mile southwest of Route 25010 thence in a northerly direction through Elk Creek Township to a point on Route 25010 at Murphys Corners in Erie County a distance of about 1.1 miles

Route 25122 Beginning at a point on Route 272 Spur at its intersection with Homer Avenue thence in a northwesterly direction through Mill Creek Township to a point on Route 272 in Erie County a distance of about 0.4 of a mile

Route 25123 Beginning at a point on Route 496 about 0.5 of a mile west of Route 86 thence in a northerly direction through Fairview Township in Erie County a distance of about 0.5 of a mile

RAoute 25124 Beginning at a point on Route 25057 about 1.0 mile northwest of Lawrence School thence in a northerly direction through Greene Township to a point on Route 88 about 0.5 of a mile west of Hammett in Erie County a distance of about 0.3 of a mile

Route 25125 Beginning at a point on Route 709 at the northern line of Edinboro Borough thence in a northwesterly direction through Washington Township to a point on Route 25011 at Cunningham Corners in Erie County a distance of about 1.9 miles

Fayette County

Route 26078 Beginning at a point on Route 26077 about .8 of a mile north of Old Frame thence in a westerly and northwesterly direction to an intersection with Route 26079 about one mile south of Masontown Borough line in Fayette County a distance of about 2.5 miles

Forest County

Route 27025 Beginning in the Village of Dawson thence northerly in Harmony Township to a point on Route 27004 in Forest County a distance of about 2.5 miles

Route 27026 Beginning at a point on Route 27001 about one-half mile west of the Clarion County line thence northerly in Tionesta Township to a point on Route 92 in Forest County a distance of about 2 miles

Route 27027 Beginning at a Southern Terminus of State-Aid Application 6380 at Marienville thence southerly in Jenks Township to the Elk County line in Forest County a distance of about 4.4 miles provided however that this road shall not be taken over by the Department of Highways until the presently contemplate improvement shall have been completed

Huntingdon County

Route 31105 Beginning at a point on Route 31032 near Hawns Bridge thence in a southerly direction in Juniata Township along the Raystown Branch of the Juniata River in Huntingdon County a distance of 3.30 miles

Jefferson County

Route 33089 Beginning at a point on Route 189 about .8 of a mile northeast of Bells Mills thence southerly through Bell Township and easterly through the Village of Buff to a road intersection about .7 of a mile east of the Gaskill-Bell Township line in Jefferson County a distance of about 1.9 miles

Lawrence County

Route 37082 Beginning at a point on the Beaver-Lawrence County line near the Perry-Wayne Township line thence in a northeasterly direction through Perry Township to a point on Route 350 about 0.40 of a mile west of Route 37018 in Lawrence County a distance of about 0.80 of a mile

Lehigh County

Route 39119 Beginning at a point on Application 745 about .5 of a mile northeast of Lehigh Furnace thence northeasterly through Washington Township to a point on Route 163 at Lehigh Gap Station in Lehigh County a distance of about 4.5 miles

Lycoming County

Route 41142 Beginning at a point on Route 41020 about .5 of a mile west of Route 353 thence northwesterly and westerly through Mifflin Cummings and Watson Townships to a point on Route 41020 in Lycoming County a distance of about 2.9 miles

Route 41143 Beginning at a point on Route 23 near its intersection with Route 41028 thence southwesterly and westerly through the Village of Linden Woodward Township to a point on Route 23 in Lycoming County a distance of about .59 of a mile

Route 41144 Beginning at a point on Route 19065 near the Columbia County line thence westerly and northerly through Jordan Township to a point on Route 41076 in Lycoming County a distance of about .5 of a mile

Route 41145 Beginning at a point on Route 41078 about 1.1 miles north of Chestnut Grove thence westerly through Franklin and Moreland Townships to a point on Route 41076 in Lycoming County a distance of about 2.7 miles

Mercer County

Route 43109 Beginning at a point on the west borough line of West Middlesex about 0.20 of a mile north of Route 238 spur B thence in a northwesterly and northerly direction through Shenango and Hickory Townships to a point on Route 43092 at the Pennsylvania-Ohio State line in Mercer County a distance of about 3.40 miles

Route 43110 Beginning at a point on Route 43017 near Blacktown thence westerly through Springfield Township to an intersection with Route 246 near Millburn in Mercer County a distance of about 3.3 miles

Northumberland County

Route 49121 Beginning at a point on the east borough line of Watsontown Borough thence in a northeasterly direction through Delaware Township to a point on Route 49061 about 1.0 mile west of Warrior Run in Northumberland County a distance of about 2.50 miles

Route 49122 Beginning at a point on Route 161 about .2 of a mile east of Shamokin thence southerly to Tioga Street in the Village of Marshallton thence over Tioga and Sheridan Streets Pulaski Avenue Sherman Wabash and Logan Streets to the entrance of St Mary's and Hebrew cemeteries and from Logan Street over Eagle Street to the St Michael cemetery in Coal Township Northumberland County a distance of about 1.5 miles

Route 49123 Beginning at a point on Route 633 near Hamilton thence in a general southwesterly direction in

upper Augusta Township to the Rockefeller Township line in Northumberland County a distance of about 2.1 miles

Route 49124 Beginning at a point on Route 283 south of Shamrock thence in an easterly direction in Ralpho Township to a point on Route 182 about 0.4 of a mile west of Elysburg in Northumberland County a distance of about 1.3 miles

Perry County

Route 50051 Beginning at a point on Route 50010 about one mile south of Loysville thence westerly in Tyrone Township to the southwest Madison Township line in Perry County a distance of about 1.7 miles

Pike County

Route 51036 Beginning at a point on Route 254 about one half mile southwest of the Palmyra Township line thence northerly in Greene Township to the Ledgeale Bridge in Pike County a distance of about 2 miles

Schuylkill County

Route 53113 Beginning at a point on Route 161 at Big Mine Run thence in a northerly direction through Butler Township to a point on the Schuylkill-Columbia County line in Schuylkill County a distance of about one mile

Snyder County

Route 54067 Beginning at a point on Route 25 just north of the Penn-Monroe Township line thence easterly a distance of approximately four hundred feet to a road intersection thence northerly through Monroe Township via Hummels Wharf to the Shamokin Dam Boro line in Snyder County a distance of about 2.3 miles

Route 54068 Beginning at a point on Route 54042 north of Salem thence easterly through Penn Township to the intersection with Route 455 north of Dog Town in Snyder County a distance of about 1.8 miles

Route 54069 Beginning at a point on Route 54041 about .4 of a mile south of Clifford Station thence in a westerly direction through Penn Township to the intersection with Route 54065 in Snyder County a distance of about 1.2 miles

Sullivan County

Route 56046 Beginning at a point on Route 56010 about .5 of a mile west of Route 16 thence northerly through Davidson Township to a point on Route 611 in Sullivan County a distance of about .6 of a mile

Susquehanna County

Route 57145 Beginning at a point on Route 57032 about 0.4 of a mile north of Route 57111 thence northerly through Brooklyn Township to a point on Route 174 in Susquehanna County a distance of about one mile

Route 57146 Beginning on Route 57043 near Fiddle Lake thence northwesterly through Ararat and Gibson Townships to a point on Route 365 in Susquehanna County a distance of about 3 miles

Route 57147 Beginning on Route 57043 about 0.9 of a mile north of Dimock Corners thence northwesterly through Herrick and Gibson Township to a point on Route 57146 about 0.6 of a mile west of the Ararat Township line in Susquehanna County a distance of about 2.7 miles

Route 57148 Beginning on Route 944 about one mile west of the Clifford Township line thence northerly through Lenox and Gibson Townships to a point on Route 365 in Susquehanna County a distance of about 1.3 miles

Route 57149 Beginning on Route 57022 about 1.8 miles east of Dimock thence northerly through Dimock and Bridgewater Townships to a point on Route 57009 about 0.8 of a mile east of South Montrose in Susquehanna County a distance of about 3.8 miles

Route 57150 Beginning at a point on Route 365 about 1.7 miles north of South Gibson thence northerly in Gibson Township to a point on Route 57045 in Susquehanna County a distance of about 1.2 miles

Union County

Route 59047 Beginning at a point on Route 27 south of Winfield thence southerly through Union Township to the Snyder County line in Union County a distance of about 1.7 miles

Wayne County

Route 63107 Beginning at a point on Route 63058 about 1.6 miles northwest of Scott Center thence in a northerly direction through Scott Township to a point on Route 63098 in Wayne County a distance of about 3.5 miles

Route 63108 Beginning at a point on Route 63058 about .3 of a mile west of Scott Center thence in a southwesterly direction through Scott Township to the Star-rucca Borough line in Wayne County a distance of about 3.1 miles

Route 63109 Beginning at a point on Route 63024 about .7 of a mile northwest of Perkins Lake thence northwesterly through Berlin Township to a point on Route 335 in Wayne County a distance of about 1.6 miles

Route 63110 Beginning at a point on Route 63045 near the Village of Damascus thence northerly about 2.8 miles thence easterly through Damascus Township to a point on Route 63027 in Wayne County a distance of about 4.2 miles

Route 63111 Beginning at a point on Route 63059 about 1.1 miles north of Route 365 thence easterly and north-easterly through Scott and Buckingham Townships by way of Pleasant Valley and Autumn Leaves to a point on Route 63058 in Wayne County a distance of about 7.0 miles

Route 63112 Beginning at a point on Route 63009 about .3 of a mile south of Route 575 thence in an easterly and northeasterly direction through Paupack Township to a point on Route 575 in Wayne County a distance of about 3.9 miles

Route 63113 Beginning at a point on Route 63008 about .7 of a mile north of Ledge Dale thence northeasterly through Salem Township to a point on Route 951 in Wayne County a distance of about 1.7 miles

Route 63114 Beginning at a point on Route 63018 about .7 of a mile east of the Lackawanna County line thence easterly through south Canaan Township to a point on Route 949 in Wayne County a distance of about 1.2 miles

Route 63115 Beginning at a point on Route 63017 thence northerly through south Canaan and Canaan Townships to a point on Route 943 in Wayne County a distance of about 1.0 mile

York County

Route 66205 Beginning at a point on Route 66066 near Bryansville thence in a southerly direction through Peach Bottom Township to a point on Route 66044 in York County a distance of about 0.65 of a mile

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS--203.

Aaronson,	Frost,	McCormack,	Sax,
Andrewa,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,

Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger.
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsach,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham.
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy.
Chervenak,	Hoopes,	Nelson,	Thompson.
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus.
Crowley,	Kelley,	Pickens,	Wagner.
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter.
Forr,	Mazza,	Sarrafi,	Speaker.

NAYS—0.

NOT VOTING—2.

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 853, as follows:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in orough and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" and its amendments are hereby deleted as indicated or amended to read as follows

Eastvale Borough

Application 124 Beginning at a point on Eastvale Borough-North Sewickley Township line thence southeasterly over Second Avenue to an intersection with

Fourth Street thence westerly over Fourth Street to the [Fetterman Bridge] Beaver Falls City line in the Borough of Eastvale Beaver County a distance of about [44] .7 of a mile

Brownsville Borough

[Route 26066 Extending Route 26066 Beginning at a point on the Brownsville Borough-Brownsville Township line thence in a northwesterly direction on Union Street to an intersection with Route 113 at Union Street and Broadway in the Borough of Brownsville Fayette County a distance of about .29 of a mile]

Friendsville Borough

[Route 57118 Extending Roue 57118 Beginning at a point on Friendsville Borough-Apolacon Township line thence in a northeasterly direction over North Branch Street to a point on Route 944 at North Branch and Turnpike Streets in the Borough of Friendsville Susquehanna County a distance of about 0.5 of a mile]

Uniondale Borough

Route 57041 Extending Route 57041 Beginning at a point on the Uniondale Borough-Herrick Township line thence in an easterly direction on Lake Street Darrow Street and Church Street to [the Eastern Borough line] a point on Route 296 in the Borough of Uniondale Susquehanna County a distance of about [1.57 miles] 0.9 of a mile

Section 2 Said act is hereby further amended by adding thereto the following new routes

Northumberland County

Watsonstown Borough

Route 49121 Extending Route 49121 Beginning at a point on Route 18 at its intersection with Pennsylvania Avenue thence over Pennsylvania Avenue and Vincent Avenue to the Eastern Borough line of Watsonstown Borough in Northumberland County a distance of about 0.17 of a mile

Snyder County

Shamokin Dam Boro

Route 54067 Extending Route 54067 Beginning at a point on the southerly line of Shamokin Dam Boro at Market Street thence northerly over Market Street to an intersection with Route 25 a distance of about 1.3 miles

Snyder County

Selinsgrove Borough

Route 455 Beginning at the intersection of Board and Walnut Streets thence easterly on Walnut Street to a point on Route 194 at Market and Walnut Streets in the Borough of Selinsgrove Snyder County a distance of about 0.22 of a mile

Wayne County

Hawley Borough

Route 63099 Extending Route 63099 Beginning at a point on the eastern line of Hawley Borough at Ridge Street thence southwesterly over Ridge Street to a point on Route 7 in the Borough of Hawley a distance of about 0.14 of a mile

Starrucca Borough

Route 63108 Extending Route 63108 Beginning at a point on the eastern line of Starrucca Borough thence westerly on a borough street to a point on Route 63058 in the Borough of Starrucca Wayne County a distance of about 1.5 miles

Section 3 This act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Heim,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davidson,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Relly, J. M.,	Wescott,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flah,	Lovett,	Root,	Yester,
Flss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 855, as follows:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the

cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" by changing or deleting certain routes and adding certain new routes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following routes established by section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the costs of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" and its amendments are hereby deleted as indicated or amended to read as follows

Section 2 Said act is hereby further amended by adding thereto the following new routes

Beginning at a point on the Williamsport City-Lycoming township line these southwesterly to Daugherty Run road in the city of Williamsport a distance of about 0.06 of a mile

Beginning at a point on the Williamsport City Lycoming township line thence southeasterly on Fox Hollow Run road to Ridge Avenue in the city of Williamsport a distance of about 0.42 of a mile

Section 3 The streets established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the approval of this act but shall be taken over not later than the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McDonald,	Schuster,
Barrett,	Gibson,	McCullough,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,

Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Mihm, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

TIME EXTENDED ON BILLS

Mr. SORG asked and obtained unanimous consent to extend the time five days on House Bill No. 641, Printer's No. 376, on page 12 of today's calendar, bills on final passed postponed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 3, as follows:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five million dollars (\$5,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown Pennsylvania and to thus assure and expedite the Federal and State cooperative program for the restoration of the Schuylkill River

Section 2 The funds herein appropriated shall be paid

by the state treasurer from moneys in the public buildings construction fund created or about to be created

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Mihm,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 466, as follows:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million five hundred thousand dollars (\$2,500,000) or so much thereof as may be necessary is hereby specifically appropriated out of moneys in the General Fund to the Department of Commerce for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment Provided however That no more shall be expended from this item for such purposes or any of them than may be required to match an equal sum contributed by any political subdivision or municipal authority of the Commonwealth or by the Federal Government or by a political subdivision or municipal authority and the Federal Government

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Mihm,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 467, as follows:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 So much of the moneys as shall be determined by the Department of Revenue in the Motor License Fund as are derived after May thirty-first one thousand nine hundred forty-seven from the tax on liquid fuels sold for use in aircraft is hereby specifically appropriated to the Department of Commerce for the following purposes (a) for the proper conduct of the work of the Pennsylvania Aeronautics Commission including payment of expenses of the commission and the salaries wages or other compensation of an executive director and other employes for the payment of general expenses supplies printing equipment and maintenance and repairs of landing fields intermediate landing fields landing field equipment beacon sites other air navigation facilities and for the encouragement and development of civil aeronautics and (b) for the development and maintenance of State airports for assistance to political subdivisions and municipal authorities of the Commonwealth in the construction and improvement of airports and other aeronautical facilities including the making of surveys and plans and the necessary construction work and equipment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,

Cooper.	Jones,	Patten,	Vaughan.
Cordier,	Jump,	Petrosky,	Verona.
Costa,	Kean,	Pichney,	Wachhaus.
Crowley,	Kelley,	Pickens,	Wagner.
Dague,	Kemp,	Polaski,	Waldron.
Dalrymple,	Kent,	Powers,	Wallin.
Davison,	Kirley,	Price,	Walton.
De Long,	Kline,	Propert,	Waterhouse
Demech,	Kohl,	Ragot,	Watkins.
Dennison,	Kratz,	Readinger,	Watson.
Depuy,	Krise,	Reagan,	Weidner.
Dix,	Kurtz,	Reese, D. P.,	Weiss.
Dye,	Laughner,	Reese, R. E.,	Wescott.
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler.
Erb,	Leisey,	Richter,	Wolf.
Evans,	Livingston,	Riley,	Wood.
Ewing,	Livingstone,	Robbins,	Worley.
Feola,	Loftus,	Robertson.	Yeakel.
Fish,	Lovett,	Root,	Yester.
Fiss,	Lyons,	Rose,	Yetzer.
Flack,	Madden,	Rowen,	Young.
Fleming,	Madigan,	Royer,	Lichtenwalter.
Foot,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and construction of House Bill No. 596, as follows:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" including the maximum size of the State Police Force

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments

boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executives of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-eights day of April one thousand nine hundred forty-three (P. L. 94) is hereby further amended to read as follows

Section 205 Pennsylvania State Police The Pennsylvania State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania State Police shall receive a salary at the rate of eight thousand dollars per annum

The Deputy Commissioner of the Pennsylvania State Police shall be appointed by the Commissioner of Pennsylvania State Police with the approval of the Governor and shall receive a salary at the rate of seven thousand five hundred dollars per annum

The State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time [one thousand six hundred] two thousand four hundred persons

The members of the State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson.	Frost.	McCormack.	Sax,
Andrews.	Gallagher.	McCosker.	Scanlon.
Bane,	Getchey.	McCullough.	Schuster.
Barrett,	Gibson.	McDonald.	Scott.
Baumunk.	Goff,	McKinney.	Serrill.
Beech,	Goodling.	McMillen.	Shoemaker.
Bender,	Gorman.	Mikula.	Simons.
Bentzel,	Graybill.	Miller.	Smith, C. C.,
Boies.	Greenwood.	Mills.	Smith, C. M.,
Bloom.	Greer.	Mintess.	Snider.
Bonawitz.	Griffiths.	Mohr.	Sollenberger.
Boorse.	Guthrie.	Mooney.	Sorg.
Bower.	Gyger.	Moore, C. E.,	Sproul.
Breisch.	Hall.	Moore, H. A.	Stank.
Brice,	Haller.	Morrison.	Stimmel.
Bucchin.	Haudenschild.	Murray.	Stockham.
Brown.	Heim.	Myers.	Stonier.
Brunner.	Henry.	Najaka.	Stuart.
Cadwalader.	Hewitt.	Naumann.	Swope.
Capano.	Hocker.	Needham.	Tahl.
Cassidy.	Hoffman.	Neff.	Thomassy.
Chervenak.	Hoopes.	Nelson.	Thompson.
Chudoff.	Horan.	O'Connor.	Tittle.
Clevenger.	Imbt.	O'Dare.	Tompkins.
Cochran.	Jennings.	O'Donnell.	Toomey.
Cole,	Johnson.	O'Neill.	Turner.

Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus.
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dairymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse.
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	West,
Ehrenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flash,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foot	Mazza,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751, as follows:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring periodic revision of standards of the State Council of Education with reference to school buildings providing for advisory committees in connection therewith and making the type of heating and ventilating systems optional with boards of school directors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisionist by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2560) is hereby further amended to read as follows

Section 618 All public school buildings hereafter built or rebuilt in school districts of the second third and fourth classes shall conform to standards established by the State Council of Education as to light area floor space and cubical contents The council shall immediately after the effective date of these amendments and at least once during each period of five years thereafter completely re-

view and revise such standards in the light of improved facilities equipment and methods and in the light of changing philosophies of classroom efficiency and with a view to utilizing natural advantages wherever available Such standards shall permit of opportunity for individuality in design and equipment to meet the requirements and possibilities of each public school building to be built or rebuilt

Every public school building of ten classrooms or more hereafter erected shall contain a room to be known as the health room which shall be not less than twenty-one feet in length and which shall be furnished and equipped for use as quarters in which regular school medical inspections may be given and as a first air room for pupils requiring medical attention while attending classes

Section 2 Section six hundred twenty-one of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Section 621 The State Council of Education shall establish proper standards for heating and ventilating every school building hereafter erected or reconstructed in school districts of the second third and fourth classes and shall prescribe such rules and regulations as shall be necessary to make such standards effective Provided That the board of school directors shall in each case have the power to determine the type of heating and ventilating system to be used

The State Council of Education shall immediately after the effective date of these amendments and at least once during each period of five years thereafter completely review and revise such standards in the light of improved facilities equipment and methods and in the light of changing philosophies of classroom efficiency and with a view to utilizing natural advantages wherever available

Section 3 Said act is hereby amended by adding after section six hundred twenty-one thereof a new section to read as follows

Section 621.1 For the purpose of advising the State Council of Education in making revisions of standards required by these amendments the Governor shall immediately before the time for making any revision appoint an advisory committee consisting of fifteen members five of whom shall be registered architects experienced in designing school buildings three of whom shall be school administrators and three of whom shall be educators The members of such committees shall serve without compensation but shall be reimbursed for their necessary expenses actually incurred in the performance of their duties

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Brelsich,	Hall,	Mucci, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenshield,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najak,	Stuart,

Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Tomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, J. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Tarra,	Speaker.

NAYS—0

NOT VOTING—2

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 795, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examination at the end of such period and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States suspending inconsistent laws saving the right to return to former position and status suspending powers and duties of the Personnel Director of the State Civil Service Commission for a limited period and conferring powers on the State Civil Service Commission"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period and providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States suspending inconsistent laws saving the right to former position and status suspending powers and duties

of the Personnel Director of the State Civil Commission for a limited period and conferring powers on the State Civil Service Commission" is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, I would like to ask what this bill does, what law it repeals and what is the significance of it?

The SPEAKER. Will the gentleman from Northampton, Mr. Kemp, explain the bill?

Mr. KEMP. Mr. Speaker, all this bill does is to amend Pamphlet Law 870, which was a temporary law which made civil service temporary appointments and put it back to the position where it was before the war.

Mr. ANDREWS. Mr. Speaker, what is the clause in the present act that it repeals? I did not get that.

Mr. KEMP. Mr. Speaker, it repeals Pamphlet Laws 870, which was made a law in 1943, covering temporary appointments of civil service employees.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, V. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,

Fiss.
Flack.
Fleming.
Foor.

Lyons.
Madden,
Madigan,
Mazza,

Rose,
Rowen,
Royer,
Sarraf.

Yetzer,
Young,
Lichtenwalter.
Speaker.

NAYS—0

NOT VOTING—2

Mihm,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 800, Printer's No. 553
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 828, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Department of Public Instruction for the purpose of employing qualified supervisors and clerical assistants provide necessary travel and maintenance and legal or other services as may be necessary in assisting the Department in formulating rules and regulations in conducting inspections processing reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private correspondence schools and classes as defined by law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,
Beech,
Bender,
Bentzel,
Bloom,
Boles,
Bonawiltz,
Boorse,
Bower,
Brelschi,
Brice,
Brown,
Branner,
Bucchin,
Cadwalader,
Capano,
Cassidy,

Frost,
Gallagher,
Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,
Greer,
Griffiths,
Guthrie,
Gyger,
Hall,
Haller,
Haudenschild,
Helm,
Henry,
Hewitt,
Hocker,
Hoffman,

McCormack,
McCosker,
McCullough,
McDonald,
McKinney,
McMillen,
Mikula,
Miller,
Mills,
Mintess,
Mohr,
Mooney,
Moore, C. E.,
Moore, H. A.,
Morrison,
Murray,
Myers,
Najaka,
Naumann,
Needham,
Neff,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, C. C.,
Smith, C. M.,
Snider,
Sollenberger,
Sorg,
Sproul,
Stank,
Stimmel,
Stockham,
Stonier,
Stuart,
Swope,
Tahl,
Thomassy,

Chervenak,
Chudoff,
Clevenger,
Cochran,
Cole,
Cook,
Cooper,
Cordier,
Costa,
Crowley,
Dague,
Dalrymple,
Davison,
De Long,
Demech,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,

Hoopes,
Horan,
Imbt,
Jennings,
Johnson,
Johnston,
Jones,
Jump,
Kean,
Kelley,
Kemp,
Kent,
Kirley,
Kline,
Kohl,
Kratz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,

Nelson,
O'Connor,
O'Dare,
O'Donnell,
O'Neill,
Orban,
Patten,
Petrosky,
Pichney,
Plickens,
Polaski,
Powers,
Price,
Propert,
Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley, J.
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Thompson,
Tittle,
Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Weidner,
Weiss,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Mihm,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1060, as follows:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-one (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments board commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the admini-

strative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(a) The State Military Reservation Commission shall consist of the Governor [the Major General Commanding the National Guard of Pennsylvania any Major General who commands has commanded or shall hereafter command the National Guard of Pennsylvania who shall retire from the service subsequent to the first day of January one thousand nine hundred thirty-three regardless of such retirement] the Adjutant General [the Brigadier Generals commanding brigades the Chief of Staff of the Twenty-eighth Division] all active General Officers of the National Guard of Pennsylvania and two other members to be appointed by the Governor

The commission shall elect from among its members a chairman and a secretary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boles,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Brelsch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenschild,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Jadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	

De Long,	Kilne,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weldner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Flah,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
For,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Mihm,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1108, as follows:

An Act to further amend subsection (a) of section seven hundred nineteen and section one thousand seven hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department and board commission and officer of the State government every political subdivision of the State and certain officers of such subdivision every person association and corporation required to pay asses or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by changing the time for filing returns and the payment of the tax due and in certain cases providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section seven hundred nineteen of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement

ment or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the state and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) is hereby further amended to read as follows

Section 719 Reports by Private Bankers and Payment of Tax (a) Every private banker shall on or before the [first Monday of December] fifteenth day of February of each year make a return to the Department of Revenue setting forth the full amount of his gross receipts from commissions discounts abatements allowances and all other receipts arising from his business during the [year ending with the thirtieth day of November preceding the date of such return] thirteen-month period immediately the first day of January one thousand nine hundred forty-eight and during each calendar year immediately preceding such return thereafter Every such private banker at the time of making every return required by this section shall compute and pay to the department of tax due to the Commonwealth upon his gross receipts as required by law

Section 2 Section one thousand seven hundred two of said act as amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

Section 1702 Failure of Corporation Association Exchange or Person to Make Bonus or Tax Reports on Time If any corporation association exchange or person or the officer or officers of any corporation association or exchange shall neglect or refuse to furnish to the Department of Revenue within the time prescribed by law or any extension thereof granted by the Department of Revenue any bonus or tax report required by section seven hundred six seven hundred seven seven hundred eight seven hundred ten seven hundred thirteen seven hundred fourteen seven hundred sixteen seven hundred nineteen or seven hundred twenty of this act it shall be the duty of the Department of Revenue to add to the bonus or tax of such corporation association exchange or person for each and every tax period for which such report was not so furnished the following percentages which shall be collected with the bonus or tax in the usual manner of setting and collecting such bonus or tax

On the first one thousand dollars of bonus or tax ten per centum on the next four thousand dollars five per centum and on everything in excess of five thousand dollars one per centum

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,

Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Spro
Brelschi,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Nedham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervanek,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Clevenger,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davidson,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Lelsey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Mihm, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1217, as follows:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collections defining and prohibiting unfair sales of cigarettes conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale providing remedies for violations thereof and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Unfair Cigarette Sales Act"

Section 2 Legislative Findings Statement of Policy It is hereby declared that the advertising offering for sale or sale of cigarettes below cost in the retail and wholesale trade with the intent of injuring competitors destroying or substantially lessening competition is an unfair and deceptive business practice It is hereby declared to be the policy of the State to promote the public welfare through the prohibition of such sales and it is the pur-

pose of this act to carry out that policy in the public interest

Section 3 Definitions The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

(1) The term "association" shall mean any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

(2) The term "package" shall mean the individual package box or other container in and from which retail sales of cigarettes are normally made or intended to be made and packages boxes or other containers in which cigarettes are packed for transportation purposes

(3) The term "sale" shall mean any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

(4) The term "cigarettes" shall mean and include any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco

(5) The term "person" shall mean and include any individual firm fiduciary partnership a corporation trust or association however formed club trustee agency or receiver

(6) The term "wholesaler" shall mean and include any person who purchases cigarettes direct from the manufacturer or from any other person who purchased from a manufacturer and sells such cigarettes purchased by him to others for resale

(7) The term "retailer" shall mean and include any person who operates a store or concession for the purpose of making sales of cigarettes at retail and any person selling cigarettes through vending machines

(8) The term "sell at retail" or "sales at retail" or "retail sales" shall mean and include any transfer of title to cigarettes for a valuable consideration made in the ordinary course of trade or usual prosecution of the seller's business to the purchaser for consumption or use

(9) The terms "sell at wholesale" "sales at wholesale" and "wholesale sales" shall mean and include any transfer of title to cigarettes for a valuable consideration made in the ordinary course of trade or usual prosecution of the wholesaler's business to the retailer for the purpose of resale

Section 4 Sales at Less Than Cost Penalty (a) It shall be unlawful for any retailer or wholesaler with intent to injure competitors destroy or substantially lessen competition to advertise offer to sell or sell at retail or wholesale cigarettes at less than cost to such retailer or wholesaler as the case may be Any retailer or wholesaler who violates the provisions of this section shall be guilty of a misdemeanor and punishable by a fine of not more than five hundred dollars (\$500)

(b) Evidence of advertisement offering to sell or sale of cigarettes by any retailer or wholesaler at less than cost to him shall be prima facie evidence of intent to injure competitors and to destroy or substantially lessen competition

Section 5 Cost to the Retailer Meaning etc (a) The term "cost to the retailer" shall mean the invoice cost of the cigarettes to the retailer or the replacement cost of the cigarettes to the retailer within thirty (30) days prior to the date of sale in the quantity last purchased whichever is lower less all trade discounts except customary discounts for cash to which shall be added the full face value of any stamps which may be required by any cigarette act of this State now in effect or later enacted if not already included by the manufacturer in his list price and the cost of doing business by the said retailer as evidenced by the standards and methods of accounting regularly employed by him in his allocation of overhead costs and expenses paid or incurred and must include without limitation labor (including salaries of executives and officers) rent depreciation selling costs maintenance

of equipment delivery costs all types of licenses taxes insurance and advertising Provided That any retailer who received in connection with the retailer's purchase not only the discounts ordinarily allowed upon purchase by a retailer but also in whole or in part the discounts ordinarily allowed upon purchases by a wholesaler in determining "cost to the retailer" pursuant to this subsection shall add the "cost of doing business by the wholesaler" to the invoice cost of the cigarettes to said retailer or to the replacement cost of the cigarettes to said retailer within thirty (30) days prior to the date of sale in the quantity last purchased which ever is lower less all trade discounts except customary discounts for cash before adding the full face value of any stamps which may be required by any cigarette tax act of this State now in effect or later enacted if not already included by the manufacturer in his list price and the "cost of doing business by the retailer"

(b) In the absence of proof of a lesser or higher cost of doing business by the retailer making the sale the cost of doing business to the retailer shall be presumed to be six per centum (6%) of the sum of both the invoice cost of the cigarettes to the retailer or of the replacement cost of the cigarettes to the retailer within thirty (30) days prior to the date of sale in the quantity last purchased which ever is lower less all trade discounts except customary discounts for cash and the full face value of any stamps which may be required by any cigarette tax act of this State now in effect or later enacted if not already included by the manufacturer in his list price

(c) In the absence of a lesser or higher cost of doing business the cost of doing business to the retailer who received in connection with the retailer's purchase not only the discounts ordinarily allowed upon purchase by a retailer but also in whole or in part the discounts ordinarily allowed upon purchases by a wholesaler shall be presumed to be six per centum (6%) of the sum of the invoice cost of the cigarettes to such retailer within thirty (30) days prior to the date of sale in the quantity last purchased whichever is lower less all trade discounts except customary discounts for cash and the full face value of any stamps which may be required by any cigarette tax act of this State now in effect or later enacted if not already included by the manufacturer in his list price and "cost of doing business by the wholesaler"

Section 6 Cost to Wholesaler Meaning etc (a) The term "cost to the wholesaler" shall mean the invoice cost of the cigarettes to the wholesaler or of the replacement cost of the cigarettes to the wholesaler within thirty (30) days prior to the date of sale in the quantity last purchased whichever is lower less all trade discounts except customary discounts for cash to which shall be added the full face value of any stamps which may be required by any cigarette tax act of this State now in effect or later enacted if not already included by the manufacturer in his list price and the cost of doing business by the said wholesaler as evidenced by the standards and methods of accounting regularly employed by him in his allocation of overhead costs and expenses paid or incurred and must include without limitation labor (including salaries of executives and officers) rent depreciation selling costs maintenance of equipment delivery costs all types of licenses taxes insurance and advertising

(b) In the absence of proof of a lesser or higher cost of doing business by the wholesaler making the sale the cost of doing business to the wholesaler shall be presumed to be two and three quarters per centum (2¾%) of the sum of both the invoice cost of the cigarettes to the wholesaler or of the replacement cost of the cigarettes to the wholesaler within thirty (30) days prior to the date of sale in the quantity last purchased whichever is lower less all trade discounts except customary discounts for cash and the full face value of any stamps which may be required by any cigarette tax act of this State now in effect or later enacted if not already included by the manufacturer in his list price

(c) In all advertisements offers for sale or sales in-

volving two (2) or more items at a combined price and in all advertisements offers for sale or sales involving the giving of any concession of any kind whatsoever (whether it be coupons or otherwise) the retailer's or wholesaler's selling price shall not be below the "cost to the retailer" or the "cost to the wholesaler" respectively of all articles products commodities and concessions included in such transactions

Section 7 Sales by a Wholesaler to a Wholesaler or Retailer When one wholesaler sells cigarettes to any other wholesaler the former shall not be required to include in his selling price to the latter "cost to the wholesaler" as provided by section five of this act but the latter wholesaler upon resale to a retailer shall be subject to the provisions of said section

Section 8 Sales Exceptions The provisions of this act shall not apply to sales at retail or sales at wholesale made (a) in an isolated transaction and not in the usual course of business (b) where cigarettes are advertised offered for sale or sold in bona fide clearance sales for the purpose of discontinuing trade in such cigarettes and said advertising offer to sell or sale shall state the reason thereof and the quantity of such cigarettes advertised offered for sale or to be sold (c) where cigarettes are advertised offered for sale or sold as imperfect or damaged and said advertising offer to sell or sale shall state the reason thereof and the quantity of such cigarettes advertised offered for sale or to be sold (d) where cigarettes are sold upon the complete final liquidation of a business (e) where cigarettes are advertised offered for sale or sold by any fiduciary or other officer acting under the order or direction of any court

Section 9 Advertising of Certain Sales Good Faith Any retailer or wholesaler may advertise offer to sell or sell cigarettes at a price made in good faith to meet the prices of a competitor who is selling the same article at cost to him as a wholesaler or retailer The prices of cigarettes advertised offered for sale or sold under the exemptions specified in section seven shall not be considered the price of a competitor and used as a basis for establishing prices blow cost nor shall prices established at bankrupt sales be considered as prices of a competitor within the purview of the first sentence of this section

Section 10 Sales Contracts Void Any contract express or implied made by any person firm or corporation in violation of any of the provisions of this act is declared to be an illegal and void contract and no recovery thereon shall be had

Section 11 Court Evidence Admissable (a) In determining "cost to the retailer" and "cost to the wholesaler" the court shall receive and consider as bearing on the bona fides of such cost evidence tending to show that any person complained against under any of the provisions of this act purchased cigarettes with respect to the sale of such complaint is made at a fictitious price or upon terms or in such a manner or under such invoices as to conceal the true cost discounts or terms of purchase and shall also receive and consider as bearing on the bona fides of such cost evidence of the normal customary and prevailing terms and discounts in connection with other sales of a similar nature in the trade area or state

(b) Merchandise given gratis or payment made to a retailer or wholesaler for display or advertising or promotion purposes or otherwise shall not be considered in determining the cost of cigarettes to the retailer or wholesaler

Section 12 Sales Outside Ordinary Channels of Business Effect In establishing the cost of cigarettes to the retailer or wholesaler the invoice cost of said cigarettes purchased at a forced bankrupt closeout sale or other sale outside of the ordinary channels of trade may not be used as a basis for justifying a price lower than one based upon the replacement cost of the cigarettes to the retailer or wholesaler within thirty (30) days prior to the date of sale in the quantity last purchased through the ordinary channels of trade

Section 13 Cost Survey Admissability Where the parti-

cular trade of which the person complained against is a member has an established cost survey for the trading area in which the offense is committed the said cost survey shall be deemed competent evidence to be used in proving the cost of the person complained against within the provisions of this act

Section 14 Remedies (a) Any person injured by any violation or who shall suffer injury from any threatened violation of this act may maintain an action in any court of equitable jurisdiction to prevent restrain or enjoin such violation or threatened violation If in such action a violation or threatened violation of this act shall be established the court shall enjoin and restrain or otherwise prohibit such violation or threatened violation and in addition thereto shall assess in favor of the plaintiff and against the defendant the costs of suit including reasonable attorney's fees In such action it shall not be necessary that actual damages to the plaintiff be alleged or proved but where alleged and proved the plaintiff in said action in addition to such injunctive relief and costs of suit including reasonable attorney's fees shall be entitled to recover from the defendant the actual damages sustained by the plaintiff

(b) In the event no injunctive relief is sought or required any person injured by a violation of this act may maintain an action for damages alone in any court of general jurisdiction and the measure of damages in such action shall be the same as prescribed in subsection (a) of this section

Section 15 Unfair Sales Act The provisions of the act approved the eleventh day of August one thousand nine hundred forty-one (P. L. 900) known as the "Unfair Sales Act" shall not apply to sales of cigarettes covered by the provisions of this act

Section 16 Department of Revenue Powers and Duties The administration of this act is vested in the Department of Revenue of this Commonwealth and the applicable authority vested in the Department by the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) known as the "Cigarette Tax Act" as reenacted and amended by the act approved the twenty-seventh day of March one thousand nine hundred forty-five (P. L. 71) shall be extended to include the provisions of this act Such department shall suspend or revoke any license or permit issued under the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) known as the "Cigarette Tax Act" as reenacted and amended for failure of the licensee to comply with any provisions of this act

Section 17 The provisions of this act shall become effective sixty (60) days after the date of its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, this is indeed a peculiar measure to appear under Republican sponsorship in this day of free enterprise. This measure is designed to protect by means of various regulations a Pennsylvania business. So far as I have been able to read in the papers it is not consistent with sound Republican policy that business should go to government for protection or that regulations should be placed at State lines governing the flow of trade and commerce. But apparently the cigarette industry, so far as the distribution is concerned, is in trouble in Pennsylvania, and so these eminent Republicans just as though this was a New Deal era, come flocking to the Legislature of Pennsylvania, to government for protection.

Mr. Speaker, insofar as they recognize the principles that Government is formed to protect the citizen as well

as business, I agree with their logic, and because we have burdened Pennsylvania dealers with certain restrictions in the matter of distributing cigarettes that do not apply to dealers outside of the Commonwealth, it is necessary for us by reason of our original mistake to pass a law which will prevent the cruel people from outside Pennsylvania from putting Pennsylvania cigarette distributors out of business.

So Mr. Speaker, I welcome the sponsors of this bill into the New Deal camp and cite the fact that when their particular interest is in danger they are not so very hot for free enterprise.

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the gentleman from Elk whether or not this bill was introduced because of the recent four cent tax on cigarettes.

Mr. SORG. To my knowledge that is not the reason, Mr. Speaker.

Mr. CHUDOFF. I thank the gentleman.

Mr. LOVETT. Mr. Speaker, this bill has something to do with cigarettes and maybe I will have another good day.

I want to say just one word. I was informed by Mr. Sorg when we talked about the cigarette tax that he was not afraid of the people of Pennsylvania going over in the other states and buying cigarettes just in order to save the tax. Somebody is being afraid in this bill. We are afraid to let the other people come in and offer cigarettes for sale for less than cost. I think so far as the people of Pennsylvania are concerned we could let them come in and buy cigarettes from people that are under the Fair Employment Practices Act. So therefore I do not see any need for this bill and that is the reason why I am going to vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—186

Andrews,	Getchey,	Mazza,	Sarra,
Aaronson,	Gibson,	McCormack,	Sax,
Barrett,	Goff,	McCosker,	Scanlon,
Baumunk,	Goodling,	McCullough,	Schuster,
Beech,	Gorman,	McDonald,	Scott,
Bender,	Graybill,	McMillen,	Serrill,
Bloom,	Greenwood,	Mikula,	Shoemaker,
Boies,	Greer,	Miller,	Simons,
Bonawitz,	Griffiths,	Mills,	Smith, C. C.,
Boorse,	Guthrie,	Mintess,	Smith, C. M.,
Bower,	Gyger,	Mohr,	Sollenberger,
Brelsch,	Hall,	Mooney,	Sorg,
Brice,	Haller,	Moore, C. E.,	Stank,
Brunner,	Haudenschild,	Moore, H. A.,	Stimmel,
Bucchin,	Helm,	Morrison,	Stockham,
Cadwalader,	Henry,	Murray,	Stonier,
Cassidy,	Hewitt,	Myers,	Stuart,
Chervenak,	Hocker,	Najaka,	Swope,
Chudoff,	Hoffman,	Naumann,	Tahl,
Clevenger,	Hoopes,	Needham,	Thomassy,
Cochran,	Horan,	Neff,	Thompson,
Cook,	Imbt,	Nelson,	Tittle,
Cooper,	Jennings,	O'Connor,	Tompkins,
Cordier,	Johnson,	O'Dare,	Toomey,
Costa,	Johnston,	O'Donnell,	Turner,
Crowley,	Jones,	O'Neill,	Uphur,

Dague,
Dalrymple,
Davison,
De Long,
Demech,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Floor,
Frost,
Gallagher,

Jump,
Kean,
Kelley,
Kemp,
Kent,
Kirley,
Kline,
Kohl,
Kratz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Lelsey,
Livingston,
Livingstone,
Loftus,
Lyons,
Madden,
Madigan,

Patten,
Pichney,
Pickens,
Polaski,
Powers,
Price,
Propert,
Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,

Vaughan,
Wachhaus,
Wagner,
Wallin,
Walton,
Waterhouse,
Watkins,
Watson,
Waldron,
Weldner,
Wescott,
West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Young,
Lichtenwalter,
Speaker

NAYS—16

Bane,
Bentzel,
Brown,
Capano,

Cole,
Evans,
Lovett,
McKinney,

Orban,
Petrosky,
Reese, R. E.,
Snider,

Verona,
Weiss,
Yester,
Yetzer,

NOT VOTING—3

Mihm,

Sproul,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1316, as follows:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 The sum of eighteen hundred dollars, or so much thereof as is necessary is hereby specifically appropriated to the Chief Clerk of the House of Representatives to be used by the Chief Clerk for the purpose of paying the balance of salaries due such deceased members to the wife or husband or legal representative of such deceased member in all cases in which the deceased member served part of his term of office and for which vacancy a successor has not been elected

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,
Andrews,
Bane,
Barrett,
Baumunk,
Beech,
Bender,
Bentzel,
Bloom,

Frost,
Gallagher,
Tahl,
Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,

McCormack,
McCosker,
McCullough,
McDonald,
McKinney,
McMillen,
Mikula,
Miller,
Mills,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, J. C.,
Smith, C. M.,

Boies.	Greer.	Mintess	Snider.
Bonawitz.	Griffiths.	Mohr.	Sollenberger.
Boorse.	Guthrie.	Mooney.	Sorg.
Bower.	Gyger.	Moore, C. E.	Stank.
Brelschi.	Hall.	Moore, H. A.	Stimmel.
Brice.	Haller.	Morrison.	Stockham.
Brown.	Haudenshield.	Murray.	Stonier.
Brunner.	Helm.	Myers.	Stuart.
Bucchin.	Henry.	Najaka.	Swope.
Cadwalader.	Hewitt.	Naumann.	Tahl.
Capano.	Hocker.	Needham.	Thomassy.
Cassidy.	Hoffman.	Neff.	Thompson.
Chervenak.	Hoopes.	Nelson.	Tittle.
Chudoff.	Horan.	O'Connor.	Tompkins.
Clevenger.	Imbt.	O'Dare.	Toomey.
Cochran.	Jennings.	O'Donnell.	Turner.
Cole.	Johnson.	O'Neill.	Upshur.
Cook.	Johnston.	Orban.	Vaughan.
Cooper.	Jones.	Patten.	Verona.
Cordier.	Jump.	Petrosky.	Wachhaus.
Costa.	Kean.	Pichney.	Wagner.
Crowley.	Kelley.	Pickens.	Waldron.
Dague.	Kemp.	Polaski.	Wallin.
Dalrymple.	Kent.	Powers.	Walton.
Davison.	Kirley.	Price.	Waterhouse.
De Long.	Kline.	Probert.	Watkins.
Demech.	Kohl.	Ragot.	Watson.
Dennison.	Kratz.	Readinger.	Weidner.
Depuy.	Krise.	Reagan.	Weiss.
Dix.	Kurtz.	Reese, D. P.	Wescott.
Dye.	Laughner.	Reese, R. E.	West.
Efenberg.	Layer.	Relly, J. M.	Wheeler.
Elder.	Lee.	Relly, W. J.	Wolf.
Erb.	Lelsey.	Richter.	Wood.
Evans.	Livingston.	Riley.	Worley.
Ewing.	Livingstone.	Robbins.	Yeakel.
Feola.	Loftus.	Robertson.	Yester.
Fish.	Lovett.	Root.	Yetzer.
Fiss.	Lyons.	Rose.	Young.
Flack.	Madden.	Rowen.	Lichtenwalter.
Fleming.	Madigan.	Royer.	Speaker.
For.	Mazza.	Sarra.	

NAYS—0

NOT VOTING—3

Mihm, Sproul, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1333, as follows:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined"

as amended by further defining the duties of the Department of Property and Supplies regarding State institutions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boardst of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and oll other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 508 * * * *

* * * * *

[(b) The Department of Property and Supplies shall make at least once every two fiscal years a survey of all buildings equipment land improvements connected with and comprising each State institution After making any survey the Department of Property and Supplies shall prepare a report setting forth in detail the results of the survey including the needs of such institution with respect to the maintenance of and repairst improvements alterations and additions to its buildings land and equipment The Department of Property and Supplies shall file a copy of such report with the Governor and the department or departmental administrative board having supervision or control of the institution Such reports shall be used so far as practical as a guide in formulating the biennial budgetary requests for appropriations for the maintenance of and repairs improvements alterations and additions to the buildings lands and equipment of State institutions]

(b) The Department of Property and Supplies shall from time to time inspect all buildings equipment land and improvements connected with and comprising each State institution in order to ascertain whether such buildings equipment land and improvements are being properly maintained and the need for repairs improvements alterations and additions to such buildings equipment and lands

The Department of Property and Supplies shall be responsible for the maintenance in good order and repair of all buildings equipment land and improvements and shall formulate its biennial budgetary requests for appropriationst for maintenance of and repairs improvements alterations and additions to the buildings lands and equipment of State institutions

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson, Frost, McCormack, Sax,

Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mooney,	Snider,
Bonawitz,	Griffiths,	Moore, C. E.,	Sollenberger,
Boorse,	Guthrie,	Mintess,	Sorg,
Bower,	Gyger,	Mohr,	Stank,
Brelsch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenschild,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Johnston,	O'Donnell,	Turner,
Cole,	Jennings,	O'Neill,	Upshur,
Cook,	Johnson,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davidson,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wheeler,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarra,	

NAYS—0

NOT VOTING—3

Mihm, Sproul, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1334, as follows:

An Act reappropriating certain appropriations made by the General Assembly during the session of one thousand nine hundred forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All appropriations made by the General Assembly from all funds of the State Treasury to the various departments independent boards and independent commissions of the Commonwealth by the General Assembly at any time during the session of one thousand nine hundred forty-seven for the maintenance and repair of buildings equipment land and improvements are hereby reappropriated to the Department of Property and upplies in order that said department may perform the duties imposed upon it by other legislation enacted during the session of one thousand nine hundred

forty-seven relating to maintenance of State institutions Said appropriations shall be available for expenditure by the Department of Property and Supplies and shall not be available to the other departments independent boards and independent commissions

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boles,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Stank,
Brelsch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenschild,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davidson,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarra,	

NAYS—0

NOT VOTING—3

Mihm, Sproul, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1335, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-five million dollars (\$135,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorney's fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and administrative expense attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Schuster,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Soilenberger,
Boorse,	Guthrie,	Mooney,	Sorg,

Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenshield,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervensak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davidson,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Proper,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Elder,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Eving,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—3

Mihm, Sproul, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to inform the House that we have just disposed of one hundred and thirty-five million.

The SPEAKER. The Chair might remind the gentleman that that is what we are talking about on an appropriation bill.

The Chair might also remind the Members of the House that the Chair is very pleased with the manner in which they are responding to the calling of the roll, and the Clerk would appreciate it if they would always respond in such a manner.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 152, Printer's No. 245 and

Senate Bill No. 318, Printer's No. 81

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 428, as follows:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(L) * * * *

(4) The word "employment" shall not include

* * * *

(17) Service performed by an individual for an employer as an insurance agent or real estate salesman or as an insurance solicitor or as a real estate broker or as a solicitor of applications for or salesman of shares of or certificates issued by an investment company or as an agent of an investment company if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication

Section 2 Nothing contained in this amendatory act shall be construed as a legislative declaration that the services of the solicitors agents or salesmen mentioned herein were heretofore within the scope of the definition of "employment" contained in the Unemployment Compensation Law

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of January one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Aaronson,	Getchey,	Mazza,	Sarraff,
Andrews,	Gibson,	McCormack,	Scanlon,
Barrett,	Goff,	McCosker,	Schuster,
Baumunk,	Goodling,	McCullough,	Scott,
Beech,	Gorman,	McDonald,	Serrill,
Bender,	Graybill,	McKinney,	Shoemaker,
Bloom,	Greenwood,	McMillen,	Simons,
Boies,	Greer,	Mikula,	Smith, C. C.,
Bonawitz,	Griffiths,	Miller,	Smith, C. M.,
Boorse,	Guthrie,	Mills,	Sollenberger,
Bower,	Gyger,	Mintess,	Sorg,
Brelschi,	Hall,	Mohr,	Stank,
Brice,	Haller,	Mooney,	Stimmel,
Brown,	Haudenschild,	Moore, C. E.,	Stockham,
Brunner,	Helm,	Moore, H. A.,	Stonier,
Bucchin,	Henry,	Morrison,	Stuart,
Cadwalader,	Hewitt,	Murray,	Swope,
Capano,	Hocker,	Myers,	Tahl,
Cassidy,	Hoffman,	Najaka,	Thomassy,
Clevenger,	Hoopas,	Needham,	Thompson,
Cochran,	Horan,	Naumann,	Tittle,
Cole,	Imbt,	Neff,	Tompkins,
Cook,	Jennings,	Nelson,	Toomey,
Cooper,	Johnson,	O'Dare,	Turner,
Cordier,	Johnston,	O'Donnell,	Upshur,
Costa,	Jones,	O'Neill,	Vaughan,
Crowley,	Jump,	Orban,	Verona,
Dague,	Kean,	Patten,	Wachhaus,
Dalrymple,	Kelley,	Petrosky,	Wagner,
Davison,	Kemp,	Pichney,	Waldron,
De Long,	Kent,	Pickens,	Wallin,
Demech,	Kirley,	Price,	Walton,
Dennison,	Kline,	Propert,	Waterhouse,
Depuy,	Kohl,	Ragot,	Watkins,
Dix,	Kratz,	Reagan,	Watson,
Dye,	Krise,	Reese, D. P.,	Weidner,
Efenberg,	Kurtz,	Reese, R. E.,	Weiss,
Elder,	Laughner,	Reilly, J. M.,	Wescott,
Erb,	Layer,	Reilly, W. J.,	West,
Ewing,	Lee,	Richter,	Wheeler,
Feola,	Leisey,	Riley,	Wolf,
Flah,	Livingston,	Robbins,	Wood,
Fiss,	Livingstone,	Robertson,	Worley,
Flack,	Loftus,	Root,	Yeakel,
Fleming,	Lovett,	Rose,	Young,
Foor,	Lyons,	Rowen,	Lichtenwalter,
Frost,	Madden,	Royer,	Speaker.
Gallagher,	Madigan,	Sax,	

NAYS—12

Bane,	Chudoff,	Polaski,	Snider,
Bentzel,	Evans,	Powers,	Yester,
Chervenak,	O'Connor,	Readinger,	Yetzer,

NOT VOTING—3

Mihm,	Sproul,	Trout,
-------	---------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244

was passed over at the request of the SPEAKER.

RECONSIDERATION OF VOTE

Mr. RAGOT. Mr. Speaker, I move that the vote by which House Bill No. 1001, Printer's No. 394, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

on page 5 of today's calendar, bills on second reading, was ordered to be transcribed for third reading be reconsidered.

The SPEAKER. How did the gentleman from Northampton, Mr. Ragot, vote on ordering the bill to be transcribed for third reading?

Mr. FLEMING. In the majority.

Mr. FLEMING. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny vote on ordering the bill to be transcribed for third reading?

Mr. FLEMING. In the majority.

Mr. RAGOT. Mr. Speaker, I move that the vote by which this bill was agreed to on second reading be reconsidered.

The motion was agreed to.

Mr. RAGOT. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

The motion was agreed to.

Mr. RAGOT. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. RAGOT offered the following amendment:

Amend sec. 2, page 2, line 6, by striking out the word "Department" and inserting in lieu thereof "Secretary".

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. RAGOT offered the following amendment:

Amend sec. 3, page 2, line 14, by striking out the words "at all times be open to public inspection" and inserting in lieu thereof "be confidential reports and shall be released to those who have direct interest in the subject matter thereof".

It was agreed to.

The fourth section and title were separately read and agreed to.

And said bill having been read at length and agreed to as amended,

Ordered, To be transcribed for third reading.

PERMISSION TO ADDRESS HOUSE

Mr. BROWN asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to thank the gentleman from Northampton, Mr. Ragot, for his courtesy in the amendment just inserted in House Bill 1001.

CONGRATULATORY RESOLUTION

Messrs. PETROSKY, MILLS and LOVETT offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 20, 1947.

Whereas, On May 10, 1947, Janice Rae Weiss was born to Representative and Mrs. David H. Weiss at the Magee Hospital, Pittsburgh, Pennsylvania, and

Whereas, The said infant Weiss who weighed 7½ pounds at birth is the second daughter of the popular

Westmoreland Representative and his wife, therefore be it

Resolved, That this House of Representatives congratulate the proud parents and hereby bestow on the newest Miss Weiss their blessing and best wishes for a happy healthful life, and be it further

Resolved, That a copy of this resolution be sent to Mrs. David H. Weiss by the Chief Clerk of the House of Representatives.

Mr. WEISS. Mr. Speaker, in behalf of Mrs. Weiss, Janice Rae and Yetta Rochelle, I wish to thank the sponsors for introducing the resolution and the Members of the House for adopting it. I had spoken to Representative Cordier and he promised me assistance in the future. I thank you very much.

CONDOLENCE RESOLUTION

Messrs. WEISS and MILLS offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 20, 1947.

E. Arthur Sweeney, publisher of the Greensburg "Morning Review" and "Daily Tribune," passed away on May 17, 1947, in Westmoreland Hospital, Greensburg, Pennsylvania.

Mr. Sweeney was born in North Huntingdon Township, Westmoreland County, the son of Rebecca Muse Sweeney and Edward B. Sweeney in the year 1883.

He began his newspaper career at the age of 17, when he became a reporter on the old "Morning Review". In 1909, he acquired an interest in the newspaper and in 1924 when the paper was consolidated with the Greensburg "Daily Tribune" he became head of the new publishing firm, the Tribune-Review Publishing Company.

Regarded as one of the outstanding publishers of Pennsylvania, Mr. Sweeney served as president of the Pennsylvania Newspaper Publishers Association, was a journalism teacher at Seton Hill College and acted in an advisory capacity for the school of journalism at Pennsylvania State College.

He represented Westmoreland County at Republican National Conventions in 1924, 1928, and 1932 and in 1936 was the Republican nominee for State Auditor General, but was defeated in the general election. He served as Secretary of Welfare in the cabinet of Governor Arthur H. James from 1939 to 1944.

Mr. Sweeney was also active in civic affairs, having been a leader in the move to change Greensburg from a borough to a third class city; was a charter member of the Greensburg Rotary Club; Director of the YMCA, Chamber of Commerce and of several banking institutions. He was also a member of the First Methodist Church, various Masonic orders and the Elks.

He was a true Pennsylvanian who knew and loved his community and State and served both with distinction and honor; therefore be it

Resolved, By this House of Representatives, that with the death of E. Arthur Sweeney, publisher, teacher, leader in civic and State affairs, and above all a true "Pennsylvanian" there has passed a man who served his fellow men, community and State, faithfully and with honor; and be it further

Resolved, That in evidence of the deep sympathy of this House, the Chief Clerk shall transmit copies of this resolution to his sister, Miss Alvira Sweeney, at 430 North Maple Avenue, Greensburg, and to the Borough Council of Greensburg, Pennsylvania.

LEAVE OF ABSENCE

Mr. Sarraf for Mr. SCHUSTER for the remainder of the week because of illness.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire to present a resolution and make a very brief statement concerning it.

Before I present my resolution I might have a word of advice for the gentleman from Westmoreland, Mr. Weiss. I advise him to this effect, that I would be profoundly suspicious of any offers of assistance made to him by the gentleman from Lackawanna, Mr. Cordier.

Mr. Speaker, that will sink in gradually.

Mr. Speaker, we are now within a very few days of the end of the biennium—

The SPEAKER. Will the gentleman yield? The Chair recognizes the gentleman from Lackawanna, Mr. Cordier, who seems to wish to protect his rights at this time.

Mr. CORDIER. Mr. Speaker, for the information of the gentleman from Cambria, I did not offer any assistance to the gentleman from Westmoreland, Mr. Weiss. I merely wished to offer him advice.

Mr. ANDREWS. I accept the gentleman's apology, Mr. Speaker.

As I was saying, we are approaching the end of the biennium and therefore I think it would be perfectly in keeping with sound practice to re-canvass the Commonwealth's tax position as of June 1st next. It should be possible for the budget office to recheck its various figures published at various times, and I am therefore suggesting in this resolution that the budget office at its earliest convenience furnish this House the following information:

1—The amounts by which the Commonwealth's receipts from its various revenue producing sources have exceeded or fallen below budget estimates submitted to this House at the beginning of the 1945 session of the General Assembly.

2—The amounts by which the Commonwealth's receipts from its various revenue producing sources have, during the first five months of the current year, exceeded or fallen below the figures upon which the budget submitted on March 11, 1947 was based in part.

3—The amount of all unexpected balances in all appropriation items which are subject to reappropriation as of June 1, 1947.

4—The amount of unexpended balances and various appropriation items authorized by the General Assembly at its 1945 session which have not as yet been definitely committed for specific expenditure during the 1947-49 biennium.

RESOLUTION

Mr. ANDREWS offered a resolution which was filed with the Clerk under the Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 18.

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act, approved the twenty-third day

of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans organizations for which certain appropriations may be made and for which space for meeting may be given

HOUSE BILL No. 19.

An Act to amend section one of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1184), entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day," including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations to which certain appropriations may be made

HOUSE BILL No. 20.

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," including the American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made

HOUSE BILL No. 23.

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," including the American Veterans of World War II (AMVETS) and the Marine Corps League among those organizations exempt from payment of registration fees of vehicles used by such organization

HOUSE BILL No. 24.

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" including American Veterans of World War II (AMVETS) and the Marine Corps League among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' organizations for which money may be appropriated for rental of meeting rooms of such organizations

HOUSE BILL No. 25.

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) and the mine Corps League among the veterans organizations entitled to the printing of convention reports

SENATE BILL No. 87.

A supplement to the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" permitting certain State employees who during the war were loaned to the United States Government and who have now returned to State employment to pay into the retirement fund the mount of the contributions they have made during such period with interest and prescribing how the Commonwealth shall build up the necessary State annuity reserves

SENATE BILL No. 239.

An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof.

SENATE BILL No. 364.

An Act to add sections four hundred ninety-six point five and four hundred ninety-six point six to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by prescribing the procedure and entering into contracts for establishment operation and maintenance of aviation landing fields and air dromes

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 19, 1947.

Resolved (if the Senate concurs), that House Bill No. 865, Printer's No. 426, entitled "An act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled 'An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections' reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties," be recalled from the Governor for further amendments.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 19, 1947.

Resolved, (if the House of Representatives concurs), that Senate Bill No. 477, Printer's No. 143, entitled, "An act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled 'An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases, or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties,' further providing for the mental examination of juvenile delinquents and their release or retention," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 754.

An Act to further amend sections three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and

consolidating the laws relating thereto" by changing the amount of contributions to the employee's retirement fund and the retirement age of new employees extending the power of the retirement board in investing the money of the retirement fund decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriations and in certain cases giving employees of such counties credit for time spent in military service

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 7, by inserting after the word "appropriations" the words "and in certain cases giving employees of such counties credit for time spent in military service".

Amend section 3, page 6, by inserting after line 19, the following: "(c) Any county employe who has been employed by the county for a period of six months and who thereafter shall enlist in or be inducted into the military service of the United States in time of war or national emergency so proclaimed by the President of the United States shall have credited to his employment record for retirement benefits all of the time spent by him in such military service during the continuance of such war or national emergency and such payments as are required to be made by such county employe into the county employes' retirement fund shall be paid into such fund by the county"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. LAUGHNER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax.
Andrews,	Gallagher,	McCosker,	Scanlon.
Bane,	Getchey,	McCullough,	Schuster.
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill.
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider.
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Stockham,
Bower,	Gyger,	Moore, C. E.,	Stonier,
Brelsch,	Hall,	Moore, H. A.,	Stuart,
Brice,	Haller,	Morrison,	Sorg,
Brown,	Haudenschild,	Murray,	Stank,
Brunner,	Helm,	Myers,	Stimmel.
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Needham,	Tahl,
Capano,	Hocker,	Naumann,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Connor,	Toomey,
Clevenger,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,

Dague,	Kemp,	Polaski,	W. Ulin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, E. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Riley,	Wood,
Evans,	Livingston,	Richter,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker
Foor,	Mazza,	Sarraf,	

NAYS—0

NOT VOTING—3

Mihm, Sproul, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

ANNOUNCEMENT

The SPEAKER. The Chair would like to remind the Members of the House of the reception that the Speaker is giving in the Moose Hall this evening commencing at seven o'clock. The Chair might say it is a buffet luncheon and you need not be present at exactly seven o'clock. Food will be served during the evening.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Wednesday, May 21, 1947, at 10:30 a. m., D. S. T.

Appropriations, Room No. 246, Wednesday, May 21, 1947, at 11:00 a. m., D. S. T.

Cities and County—Second Class, Room No. 521, Tuesday, May 20, 1947, immediately after the Session of the House.

Fisheries, Room No. 331, Wednesday, May 21, 1947, at 11:30 a. m., D. S. T.

Judiciary, Room No. 323, Wednesday, May 21, 1947, at 12:00 Noon, D. S. T.

Military Affairs, Room No. 329, Wednesday, May 21, 1947, at 10:30 a. m., D. S. T.

Mines and Mining, Room No. 323, Wednesday, May 21, 1947, at 11:00 a. m., D. S. T.

Municipal Corporations, Room No. 521, Wednesday, May 21, 1947, at 11:00 a. m., D. S. T.

Public Utilities, Room No. 323, Wednesday, May 21, 1947, at 10:30 a. m., D. S. T.

ADJOURNMENT

Mr. TITTLE. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 21, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 3:43 p. m., E. S. T.) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., WEDNESDAY, MAY 21, 1947.

No. 60.

SENATE

WEDNESDAY, May 21, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Reverend Cloyd W. Fields, Pastor, Fifth Street Methodist Church, Harrisburg, Pennsylvania.

We humbly thank Thee, Almighty God, for the manifold blessings which Thou hast given us as individual citizens and as well to our country, and our great Keystone State, add this, O Lord to Thy other mercies, that we may be enabled to use them better for Thy service. O take from among us all contempt of Thy word and commandments. Break down all the barriers of selfishness and ignorance which keep men from Thee. Convince the impenitent of the misery of sin, and comfort the broken-hearted with the assurance of Thy love.

Be gracious unto us, O Lord, and bless us. Stretch forth the right hand of Thy protection to guard our people, that we may be devoted to Thy service. May we ever be defended by Thy power. Increase in our own and every land the spirit of truth and justice, peace and godly love. As Thou hast made our nation mighty in this world, so make it a source of wisdom and truth, of order and sanctity, to all who come under its influence. Let Thy light pass from clime to clime and enlighten us all. Let Thy truth be our truth, Thy way our way, Thy life our life.

Grant and continue unto us legislators and those in authority who themselves have been taught the wisdom of the Kingdom of Christ. Endow all members of the Senate and Assembly with a right understanding, a pure purpose, and a sound speech. Enable them to rise above all self-seeking and party zeal into a larger usefulness of public good and human brotherhood. Cleanse our public life of every evil, overcome with good in our nation all that is sinful. Give us self-restraint and moral and spiritual powers of control; that we may do Thy will on earth as it is done in Heaven; even through Jesus Christ our Lord. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Sen-

ate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. HEYBURN further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Barr asked and obtained leave of absence for Mr. RAHAUSER.

HOUSE MESSAGE

HOUSE CONCURS IN SENATE BILL No. 428

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 356, entitled:

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsyl-

vania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board

Senate Bill No. 428, entitled:

An act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors and salesmen who are compensated on a commission basis

Senate Bill No. 453, entitled:

An Act to amend section fourteen of Article XIX of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of the Commonwealth" by extending the time for posting of eligible lists after examination held by the Civil Service Commission when more than one thousand applicants are examined.

Senate Bill No. 542, entitled:

An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful to disturb or tamper with traps set by agents of the Commission

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. At this time the Chair calls to the rostrum Senator Walker, from Allegheny County.

The PRESIDING OFFICER (John M. Walker)
in the Chair

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC AND COMMISSIONER OF DEEDS

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public and Commissioner of Deeds.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate

do now proceed to the consideration of nominations for appointment as Notaries Public, and Commissioner of Deeds, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 21, 1947.

Mr. DONLAN. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

John A. Wible, Gettysburg.

BRADFORD COUNTY

William H. Crayton Jr., Towanda.
Ornan H. Waltz, Towanda.

DAUPHIN COUNTY

Miss Edna M. Spidle, Harrisburg.

PHILADELPHIA COUNTY

Alexander S. Cohen, Phila., City Centre Building.
Miss H. E. Hallworth, Phila., 245 W. Sulis Street.
Lee N. Hammond, Phila., 6 S. 52nd Street.
Miss Gladys Hindley, Phila., 1119 W. Lehigh Ave.
Michael Riccardi, Phila., 2845 E. Thompson Street.

WARREN COUNTY

Miss Edith I. Woodward, Warren.

WASHINGTON COUNTY

Mrs. Goldie B. Vitteck, Canton Twp., 980 Ewing Street,
R. D. 3, Washington.

JAMES H. DUFF.

COMMISSIONER OF DEEDS

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Samuel S. Googel, 350 Main Street, New Britain, Connecticut, for appointment as Commissioner of Deeds for the Commonwealth of Pennsylvania, with residence in the State of Connecticut, for the term of five years, to compute from the date of confirmation.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC AND COMMISSIONER OF DEEDS

A motion was made by Mr. KEPHART and Mr. DONLAN,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn	Margle,	Wagner,
Chapman,	Holland	Rosenfeld,	Watson,
Crider,	Homsher	Ruth,	Willson,
Crowe,	Jaspan	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE STATE ATHLETIC COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Jones, Williamsport, Lycoming County, for appointment as a member of the State Athletic Commission, to compute from June 18, 1945, for the term of two years and until his successor is appointed and qualified.

JAMES H. DUFF.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing, and preventing future silting of the Schuylkill River above Norristown.

Which was committed to the Committee on Appropriations.

House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of Aeronautics.

Which was committed to the Committee on Appropriations.

House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission.

Which was committed to the Committee on Appropriations.

House Bill No. 596, entitled:

An Act to further amend section two hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," increasing the maximum size of the State Police Force.

Which was committed to the Committee on State Government.

House Bill No. 601, entitled:

An Act to amend section one of the act, approved the eighteenth day of March, one thousand eight hundred seventy-five (P. L. 32), entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general, direct and ad sectum indexes of deeds and mortgages recorded therein, prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons," prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

Which was committed to the Committee on Judiciary General.

House Bill No. 751, entitled:

An Act to further amend sections six hundred eighteen and six hundred twenty-one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," requiring periodic revisions of standards of the State Council of Education with reference to school buildings; providing for advisory committees in connection therewith; and making the type of heating and ventilating systems optional with boards of school directors.

Which was committed to the Committee on Education.

House Bill No. 795, entitled:

An Act to repeal the act, approved the fourth day of June one thousand nine hundred forty-three (P. L. 870) entitled "An act relating to appointments, reclassifications, and promotions made under any civil service system of this Commonwealth after the effective date of this act, until a period after the cessation of hostilities, making such appointments of war duration; providing for experience credit for men and women honorably discharged from the armed forces or the uniformed services of the United States; suspending inconsistent laws; saving the right to return to former position and status; suspending powers and duties of the Personal Director of the State Civil Service Commission for a limited period; and conferring powers on the State Civil Service Commission."

Which was committed to the Committee on State Government.

House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

Which was committed to the Committee on Appropriations.

House Bill No. 852, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 853, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "Borough Rural State Highway Law," by changing or deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 855, entitled:

An Act to further amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720), entitled "City State Highway Law," by changing or deleting certain routes and adding certain new routes.

Which was committed to the Committee on Highways.

House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," further providing for the membership of the State Military Reservation Commission.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1108, entitled:

An Act to further amend subsection (a) of section seven hundred nineteen, and section one thousand seven hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code, by changing the times for filing returns and for payment of the tax due and in certain cases providing penalties.

Which was committed to the Committee on Judiciary General.

House Bill No. 1217, entitled:

An Act prohibiting sales of cigarettes below cost and to protect and stabilize tax collection; defining and prohibiting unfair sales of cigarettes; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; providing remedies for violations, and imposing penalties.

Which was committed to the Committee on State Government.

House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representatives of such deceased member.

Which was committed to the Committee on Appropriations.

House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended, by further defining the duties of the Department of Property and Supplies regarding State institutions.

Which was committed to the Committee on State Government.

House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

Which was committed to the Committee on Appropriations.

House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-seven, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-seven.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 754

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 754, entitled:

An Act to further amend sections three hundred seventeen, three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one, three hundred twenty-two, three hundred twenty-three, and three hundred twenty-four, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," by changing the amount of contributions to the employees' retirement fund and the retirement age of new employees; extending the power of the retirement board in investing the money of the retirement fund; decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled; refund of contributions; authorizing counties of the second class and county institution district to make additional appropriations.

HOUSE CONCURS IN SENATE RESOLUTION

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 19, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, May 26, 1947 at 3:00 p. m. Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, May 26, 1947 at 3:30 p. m. Eastern Standard Time.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 477

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 19, 1947.

Resolved (If the House of Representatives concur) That Senate Bill No. 477, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

be recalled from the Governor for the purpose of amendment.

PERMISSION TO ADDRESS SENATE

Mr. WOODRING asked and obtained unanimous consent to address the Senate.

Mr. WOODRING. Mr. President and members of the Senate, I want to talk briefly, but I do not want to be limited too briefly about a matter that is of extreme importance. It has to do with a bill which is on the second reading calendar and to which I will make further reference later. It has to do with the welfare of Pennsylvania and with labor unions, laborers and industries in Pennsylvania. It has to do with a very large branch of our economy, namely the insurance industry, and I therefore invite your especial attention to what I have to say.

Now that the anti-labor bills have found their way upon the Senate and House calendars, in violation of campaign platform promises, this is an appropriate time to consider an allied phase of the anti-labor question, namely, punitive measures and controls through unlawful and unwarranted administrative and bureaucratic rulings. That is a big mouthful but I mean exactly what I say—punitive measures and controls by unlawful and unwarranted administrative and bureaucratic rulings.

I especially have in mind a recent ruling made by the Insurance Commissioner, James F. Malone, Jr., a man who perhaps should not have been appointed Insurance Commissioner because we knew, at the time the question of his confirmation in this Senate was up, he was not learned in the insurance business nor in the insurance law. However that may be, Mr. Malone has, during the days of this 1947 session, seen fit to rule concerning the payments of premiums on the funds from which premiums were paid for group life insurance. His rulings, and they are now in effect, have deprived countless thousands of people from being insured, and that carries with it all the other weakening ramifications to our economic system. I do not know why Mr. Malone made the ruling he did, but it is very apparent to me, and the only reasonable inference that I can draw from the whole scheme of things, is that Mr. Malone saw fit to take upon himself bureaucratic powers and dictatorial powers and tried to control the labor situation in Pennsylvania.

Everything in the so-called labor movement is not bad. The work performed by Pennsylvania's laboring men

and women is good. It is productive. It produces the wealth and the property which have lifted our Commonwealth to a high position among our sister states. Labor provides for the maintenance and preservation of countless thousands of families in our state. Without labor we can not exist and our capitalistic system will fall. Collective bargaining in labor is good. Most fair-minded people and most industries today have come to recognize and agree that collective bargaining is not only desirable but that it is essential.

One of the terms commonly incorporated in industry and labor agreements is the welfare clause. That includes group insurance, life, accident, health, hospital plans and so forth. And that is good. It is a protection and security, not so much for the laborer as for the public. If a laborer is killed in employment he needs no protection nor security; but his wife and children and dependents become public charges and liabilities, unless there is an insurance fund to provide for the members of the decedent's family.

If a laborer is injured or taken ill, he becomes a public liability, unless such emergencies are covered by appropriate forms of insurance. The public, then, is the real beneficiary of labor insurance. That is good and desirable. It is the application of a sound business principle which is the basis of all insurance, namely, protection and security.

Recognizing the importance of this subject, the Legislature of Pennsylvania has, at least as early as 1921, twenty-six years ago, enacted laws which officially recognize and permit group life insurance in groups of fifty or more employees and group accident health, hospitalization, surgical and laboratory charges in groups of twenty-five or more employees.

The Insurance Department and the Insurance Commissioners of Pennsylvania have uniformly recognized such policies and approved them. That is as it should be. New York state has similar laws. Michigan and many other states permit these group protective policies.

In March of this year the Commissioner of Insurance, Mr. Malone, took it upon himself to declare such insurance illegal, refused to approve the form of the policies, and advised third persons, not parties to the insurance contract, that the proposed insurance was invalid.

I charge that action by Jim Malone was an unwarranted, undemocratic, illegal and anti-labor act. It shows the need to have an insurance man in the high office of Insurance Commissioner.

The immediate ruling of Mr. Malone arose as follows: on January 30 of this year the Hotel and Restaurant Employees Alliance, Local 237, American Federation of Labor, as a result of collective bargaining, entered into a written agreement with the Pittsburgh Hotel Association. That is a big association, including Fort Pitt, the Henry Hotel, the Keystone, the Pittsburgher, the Schenley, Webster Hall and the William Penn.

This agreement involved some nineteen hundred hotel employees. The agreement provided that the employer, in lieu of additional wages, should pay to the union four per cent of the payroll, which fund should be used for health and welfare purposes and, in part, for the payment of insurance premiums.

Accordingly, the union applied for the following forms of insurance: life, accidental death, dismemberment,

health and accident, hospitalization and laboratory fees.

On March 13, two and a half months later, the Insurance Commissioner wrote a letter to the employer, not a party to the contract, that the insurance "does not meet with the requirements of the law."

Similarly, on February 14, a collective bargaining labor contract was entered into between the Pittsburgh Restaurant Labor Relations group and the union. This involved fourteen hundred employes. The health and welfare clause of that contract called for payment by the employer to the union, in lieu of additional wages, for health and welfare purposes, including insurance protection.

Why should Mr. Malone have disapproved those policies? Why should he disapprove them, in view of the fact that the Pennsylvania Department of Insurance and the previous Insurance Commissioners had uniformly approved them? Why should he disapprove them in view of the fact that many of our sister states have similar laws and have approved similar policies? I will tell you why after a while, but first let us look at the law on the subject.

Our law of 1921, Section 415, defines group life insurance to be that form of life insurance covering not less than fifty employes, written under a policy issued to the employer—and I wish you would note that this policy is written to the employer—the premium of which is to be paid by the employer, or by the employer and the employee jointly.

Sub-section "b-3" of that same law provides as follows: "Life insurance covering members of any labor union or organization of police employed by any municipality, county or state authority, or any organization or association of state employes or public school teachers, unless written under a policy issued to such union, if the policy is written to the union or organization, which shall be deemed to be the employer"—if the policy is issued to the union, then the union is considered for the purposes of the act the employer, and then the premiums in that case, the cost of which are to be paid by the union or organization and its members jointly—you will note that the premium of insurance to labor unions is to be paid by the union, which shall be deemed to be the employer for the purposes of the act.

The premiums under the Pittsburgh contract were paid by the union, in accordance with the terms of the act and that was paid out of a fund of four per cent of the total pay rolls, which fund was established under the health and welfare clause of the collective bargaining agreement, and only a part of which was for the laborer—only a part of which was to be used for insurance premiums. Monthly, as the employer paid this four per cent to the union, the money became the property of the union. If it was lost it would have been the loss of the union, not the employer; if it had been stolen, it would have been a larceny against the union and not the employer. Once payment was made, the employer parted with and was divested of both the title and right of possession to that money.

But Mr. Malone says "no, I view this as employer money," and he arbitrarily rules that under the law it provides that the union, or the union and its members shall pay the premiums, but rules that actually the em-

ployer has paid. It seems to me that his position can not be supported.

My opponents to this thinking can say "well, let us have it aired out in court" but I say it is too important to rely on court action—and there has been one instituted and there has been a preliminary ruling handed down—but even if the Commissioner's attitude, his thinking and his ruling was correct as regards group life insurance, which provides that the cost shall be paid by the union when the policy is issued to the union, or by the union and its members, if Mr. Malone was right on that type of group insurance, he certainly is wrong as regards the other form of group insurance, because our Pennsylvania law concerning payment of premiums on forms of group insurance other than life is silent as to the source of the payment of the premiums.

What does Mr. Malone have in mind? What are his objectives? Is it to prevent unions from mis-using funds? If it is, then I call upon the Legislature to pass appropriate legislation so that we can prevent that kind of misuse. Or is it to prevent the unions from placing contracts of insurance? If it is that I think Mr. Malone ought to be told what his official duties are, because the insurance law of 1921, as amended, very clearly defines his duties and powers, and it is only that he has the right to approve the form of contract; he has no right to look into the collective bargaining agreement and read that in conjunction with the form of policy and say, by reason of something contained in the collective bargaining agreement—with which I personally do not agree—that the form of the insurance policy is wrong.

It is obvious to me that the Commissioner's actions is his rulings and proposed legislation, and in his submission of Senate Bill 677, which was handed in by his law partner in the Senate, and with whom I find no fault, are designed to weaken labor unions and to limit their proper activities.

The particular activity in this case, namely, insurance of labor and protection of society generally, is a desirable one and one that is for the public welfare, and if we stood idly by, if we permitted the Insurance Commissioner of Pennsylvania, out of step with all of the insurance departments all over the United States, if we permit his ruling to go into effect, if we give approval to his ruling by the adoption of Senate Bill 677, then we are depriving the labor unions, we are depriving the laborer and we are depriving our Pennsylvania society of the protection to which they are entitled.

And, Mr. President, we are going to do something else. We are going to drive these labor unions into seeking some other form of protection for their members. We are going to make them become self-insurers; we are going to take them out of the care and custody—and I hope Mr. Wade is present and listening—of responsible and recognized and well-managed insurance companies, which operate lawfully in our state and in other states, and we are going to drive them out of that custody to become self-insurers, the general history of which, and the general character of which, has been bad and it is going to amount to a wastage of a lot of wealth and there is going to be the loss of a lot of protection.

Mr. President, we might do one other thing by the consideration and adoption of Senate Bill 677; we might do that which the Pennsylvania Senate has time and time

again said they did not want done—we might be driving the control of our insurance industry, and later on other industries, down to our national government. We already have had a scare in that regard and we already have, in this 1947 session of the Legislature, bills to prevent that very type of regimentation that we do not like. If we are going to prevent nationalization of Insurance laws, if we are going to prevent our labor unions, our lawful union, our well-manager labor unions, and our laborers from being driven into self-insurance, then we ought to very seriously consider the results of Mr. Malone's ruling, and I call upon the majority side—I am sorry the majority leader is not listening to me—I call upon the majority side to very seriously consider what I have said today, consider the ultimate effect of Senate Bill 677 and to, in their own deliberations—not here publicly, but in the confidence of their own caucus—consider the question of whether or not this bill should not be re-committed and removed from our calendar.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I have listened very attentively to the dissertation by the gentleman from Northampton, Mr. Woodring, with regard to Senate Bills 676 and 677, which are currently on our second reading calendar.

The gentleman from Northampton, Mr. Woodring, opened his discussion by questioning the qualifications of the distinguished gentleman from Allegheny, Mr. Malone, currently our Insurance Commissioners, and I answer him by saying he was one of those who voted for the confirmation of Mr. Malone. Personally I feel he is one of the finest insurance commissioners we have had within the last quarter century, and I say that without prejudice to any of the other distinguished gentlemen who have served in that position. His qualifications are those of a lawyer, and also having been raised in a home where insurance played a very important part for many years. His father was an outstanding insurance man in the city of Pittsburgh and the county of Allegheny and I suppose that he had insurance for breakfast, for dinner and for supper, he grew up in that business, and seldom if ever in the history of the Commonwealth of Pennsylvania has anyone ever grasped the duties and the administration of a department as has Mr. Malone as head of the Department of Insurance in the Commonwealth of Pennsylvania.

Our colleague from Northampton says Mr. Malone has taken an arbitrary position in one thing that is affected by Senate Bill 677. With that I might debate at length as he has, but let me tell all of you who are not conversant with the facts of the case, that Mr. Malone's position has been substantiated in toto before the court of Dauphin county. The court of Dauphin county is where we hear these cases against the Commonwealth of Pennsylvania, Mr. President, and that court recently ruled that Mr. Malone is right, Well, right in what? It is not this long discussion that Senator Woodring so ably placed before us, and in which he tried so hard to confuse the issue. It is simply this, my colleagues, for your information—Mr. Malone ruled that a labor union had no business

or right to assess against the employer the sum of four per cent, or any other per cent, with which this labor union could in turn use a portion or all of that money to go around and buy insurance for the members of the union.

Since group insurance was first adopted in America, not only in Pennsylvania but in America, the understanding has been that it is only a method by which the employer, dealing direct with the insurance company, can furnish the service to his employee, so that that employee may be better satisfied and know that he may have a better assurance that his future will be secure and that his family will be taken care of, should death stop his earning power. Why in the world, gentlemen, should a labor union enter into that picture at all? I formerly was a member of two labor unions, and I am friendly with the thing that they first started out to accomplish, and that was a union that could approach the employer and try their best to make working conditions better and other conditions better, but now for them to venture in to this field—and I might take this opportunity to say to you that labor unions, in my considered judgment, have gone far afield from their purposes at the beginning, in the past ten or twelve years; I think they have been nurtured by the federal government, and I think improperly so, but again I repeat they serve a very definite purpose. But they have gone beyond that.

Why should an employer be forced, whether it is the hotel union of Pittsburgh, or a coal union of some other county, or a manufacturer's union of any kind whatever, why should they force that employer to pay an additional contribution to the union, where the only obvious purpose would be that the union would keep part of the money for some other reasons, to force the employer to make this additional contribution under the guise of having insurance.

The gentleman said that because of this position taken by Mr. Malone, that our Insurance Department is out of step with the insurance departments of other states. Mr. President and my colleagues, the Insurance Department of Pennsylvania is not out of step; it is far ahead of the departments of many other states. With this position that Mr. Malone has taken we must, after consideration, agree, because that is far afield from the original intention of unions or the original intentions of group insurance.

The gentleman from Northampton speaks of its as regimentation. I leave it for you to decide, is it regimentation for a union to compel this insurance by a employer, or is it regimentation to leave the matter free and open so that each employer may make his own decision, that each employer may furnish to his employees other things that he wishes, or to force the employer to make additional contributions so that the union may use them as they chose.

Mr. WOODRING. Mr. President, I do not often get the real pleasure of debating with by good friend and colleague, the gentleman from Cumberland, but I can not resist the opportunity to answer just a few statements he has made.

The gentleman from Cumberland suggested that I voted for the confirmation of Mr. Malone. Certainly I did. The Governor, according to my way of thinking, is entitled to his cabinet, and if it is the Governor's selection, I vote for it, but I know that I and other members of the Sen-

ate who voted for that confirmation were not happy about it, and I know by positive knowledge that when the Governor made that appointment he was not too happy about it either, although Mr. Malone happens to be a colleague and close associate of my good friend, the gentleman from Allegheny.

The gentleman from Cumberland suggests that the Commonwealth Court, a very fair, unprejudiced and impartial court, substantiated in toto the position of Mr. Malone. Mr. President and members of the Senate, that is not so. The application before that court was for a preliminary injunction and the court did refuse in the first instance to grant such an injunction, but the balance of the proceeding is still pending and whether or not Mr. Malone will eventually be substantiated or not is your guess against somebody else's guess.

The collective bargaining agreement providing that four per cent of the pay roll should be paid by the employer to the union was an agreement solemnly entered into, freely bargained at arm's length between three parties, the employer, the union and the members of the union—the employees. That agreement, once it was signed, sealed and delivered, became a binding agreement between those three parties. I stated and I repeat now, in answer to the remarks of the gentleman from Cumberland, that it is not for our Insurance Commissioner to go into the back door and try to upset anything that was entered into between those parties. If we, the members of the Legislature, if we, the members of this Senate, do not like what is being written in present labor agreements, collective bargaining agreement, then it is up to us as legislators to pass other laws—and I am not recommending that—but that would be the way to do it, that would be the American, democratic, reasonable, peaceful way to do it, to change our laws prescribing what may or may not be in those collective bargaining agreements, but it is not for some bureaucrat, it is not for some appointee out of political life, to come into the back door and rip out the body of a solemn contract that has been entered into between three major parties.

Why should the unions be interested in this—I think was the question of the gentleman from Cumberland—why should they be allowed to consider insurance? I will tell you why. Because the Legislature of Pennsylvania in sub-section "b-3" of Section 415 of the law of 1921, as amended, has specifically said so and we have specifically labeled the union in such cases as the employer—the union steps into the role of employer for the purpose of group life insurance—because the Pennsylvania Legislature said so, and probably the amendment amending that bill was offered by my friend and colleague from Cumberland, Mr. Wade; he probably drafted that legislation—he shakes his head "no".

I say this in conclusion: If we do not like group life insurance and the group insurance laws as they exist in Pennsylvania today, let us not try to change them by bureaucratic rulings, let us change them under constitutional means and procedure, let us go to the uniform group insurance code as approved by the National Association of Insurance Commissioners, at which were represented the forty-eight states, and which code is already in use in many of the states in this nation. Let us have a good group insurance plan, but let us not try to change

the group insurance law, or one phase of the group insurance law, by a dictatorial ruling by the Insurance Commissioner. Let us not try to upset what progress labor has made, and I mean decent, respectable labor in Pennsylvania, by trying to dig into the collective bargaining agreement that was entered into and take out the meat and the reason and the rhyme of that agreement by some bureaucratic ruling.

Mr. WADE. Mr. President, I think we are sinking to a new low level in this Senate when we speak in disparaging terms of any court of the Commonwealth, let alone the very excellent court in Dauphin County, and when we have occasion to criticize their decisions I again repeat, Mr. President, I think we are reaching a new low level.

The gentleman from Northampton has at length gone into the question of the soundness of what the unions are doing and what they do with the money, stating that in his belief, no bureaucrat or no branch of government has a right to question the union.

Mr. President, when we reach that place in Pennsylvania and in America—and should the trend continue as it has for the last dozen years, I say to you, Mr. President and my colleagues, we are on very dangerous ground. Obviously the unions have a very definite place in our picture, as I said before, but certainly the unions should not dominate the picture. One of the things, to my mind, that must come about is a limitation and an accounting by the unions of every nickel that is paid in by their members, and an accounting of the expenditure of every nickel that they make.

The gentleman from Northampton took the time of this Senate to distort entirely the law as it relates to group insurance, as I understood his discussion. Several years ago we did amend the insurance law of Pennsylvania, by saying that for the purposes of purchase of group insurance the members of unions would be considered as a group. In other words, our original group law was that we should have, for life purposes, fifty employees of a common employer; the law, as relating to health and accident insurance, provided that the employer must have at least twenty-five or more, in order to be considered as a group for the purpose of buying group insurance. That law was later amended to state that the members of a union might be considered as a group. Never did we so much as consider, let alone write into our law, a provision that a union would have the privilege of buying group insurance as a unit, after forcing the money from the employer to buy insurance for their members. It is simply a qualification in our law that states that when there are twenty-five members, for the purposes of health or accident insurance, or when there are fifty members for the purpose of life insurance, their employer may buy insurance for them.

Mr. DENT. Mr. President, there seems to be a continuing practice on the other side to always speak disparagingly of any remarks made from this side when we of the minority try to call attention to something we believe very important.

The gentleman from Cumberland has just tried again to put words into the mouth of one of the members on this side. At no time during his remarks—and if there is any question as to the remarks as they were made, I

would suggest that the reporter read back to the Senate the remarks made by Senator Woodring concerning the action of the court of Dauphin County. If I remember correctly he spoke very highly of that court and in no way impugned the character of the court itself or its members. I resent, of course, the position taken by the gentleman from Cumberland.

The question of whether or not the insurance commissioner is a proper man for this office is not one that I am going to have any part of in this discussion.

However, I want to say to the gentleman from Cumberland that if this type of legislation goes upon the books of this Commonwealth, you are going to find in Pennsylvania the greatest amount of unrest in the labor movement that has ever been witnessed in any Commonwealth in the United States of America. At no time in the history of this Commonwealth has there been a bill that reaches so far into the negotiations between employers and employes as this particular type of legislation does. Bills that are introduced and are earmarked as restrictive and anti-labor are known as such and the public is aware of the intent, but this type of legislation destroys some fundamental privileges of labor organizations in bargaining negotiations, without so saying—for instance, Mr. President, I might remind the gentleman from Cumberland that in many existing contracts within this Commonwealth, the same features are contained as to the payment from the employer to the employes of a certain amount to be used for health and welfare funds. The greatest example of that is the five cents a ton royalty paid in the coal fields at the present time to the United Mine Workers of America, all over the United States of America, in a negotiated contract. If this bill becomes law in Pennsylvania are we going to find a coal strike upon our hands because we are interfering with a nationwide bargaining contract duly entered into between two parties—the employer and the union. In the field of music we find the musician's union with this type of clause in their contract for the past thirty-five years, and yet we find here in Pennsylvania at this time a bill that would do something that will disrupt the even keel of labor relationship. Oh, I know and every person knows we have had rough days lately but we would have had the same rough days whether there was one union in existence in this Commonwealth or whether there were no union in existence; I might say there would have been a certain amount of unrest, a certain period of readjustment necessary because of the conditions that surround the employe and the employer relationship, of the conditions that surround the cost of living and income, of the conditions that surround the general picture of living in a post war world readjustment from heightened days of activity during the war to a now more even keel of life.

These things would have come even if there were not one group of men and women in Pennsylvania organized into a labor body. Some of us blindly take the position that by law we are going to bring about a better type of life in Pennsylvania, that we are going to smooth out all the troubles that exist between management and labor.

This type of legislation destroys part of the bargaining rights of men who work for a living. I say to you this is not the type of legislation for the Senate of Pennsylvania to be considering in a serious way, because it will disrupt

already existing contracts. The position taken in this particular situation by the gentleman from Cumberland, if it reflects the majority thinking, does not in any way compare with the thinking that has been going on for years and years and years in the Commonwealth of Pennsylvania.

Every person knows that when the question of a raise for school teachers comes up you always hear the remark made, "well, the school teachers can receive a little less money and state employes a little less money because we provide for them a form of security in a retirement pension, a system of retirement, that is considered part of their income," but if you start to take into consideration that this is a form of bargaining that has gone on between employe and employers, whether they were organized or unorganized, for the past two generations, you certainly can not be considering this legislation in the light of past history and of future consequences.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN asked and obtained unanimous consent to address the Senate.

Mr. JASPAN. Mr. President and members of the Senate, for twenty-five years each successive legislature has failed to heed the mandate of the people of the Commonwealth, when in 1922 by referendum approved the idea of home rule, and in so doing gave the Legislature and Commonwealth a mandate to pass enabling legislation to make home rule for cities a reality.

His Excellency, the Governor of the Commonwealth, James H. Duff has expressed on numerous occasions since assuming office, the fact that the solution of the multitudinous problems facing the communities of the Commonwealth, must be solved in those communities. These repeated references by our governor to the need for local action by his Excellency, have indicated time and again that home rule is a must for the cities of the state.

The problems of a particular community are so diverse, and so peculiar to the area, that the work of setting its house in order will be interminably delayed if we must wait for particular bills to wend their precarious course through the halls of the Legislature in Harrisburg.

From time to time we have passed pieces of legislation under the guise of home rule, when in fact they were politically motivated.

Such problems as maintenance of city properties and equipment, possible new sources of revenue, sewage and garbage disposal equipment, maintenance of streets and highways, functional procedure of the police, fire and health departments are all of extreme importance, and they are matters for the people in any particular community to act upon.

House Bill 743 was introduced in the House calling for home rule for first class cities. This enabling bill, as sponsored in the house, is not compulsory, but is permissive. Be that as it may, it is incumbent upon us to give the cities of the first class the right to determine their own government within the limitations prescribed by the Constitution. This bill under orders of the Republican administration in Philadelphia, is left to die in committee. So I therefore introduced Senate Bill 656, identical in form and language, in the hope that we might

pass this non-partisan legislation. Again, the political leaders of Philadelphia want no part of it. Passage of it might result in the end of their dynasty.

Sinister forces are at work throughout the world. The threat of communism is hanging over the world. People are restless. At the annual meeting of the Pennsylvania State Chamber of Commerce, the Governor commented on the restlessness of the people of the Commonwealth, wondering what is behind it. Misrule is one of the main reasons. Control of the government by the political bigwigs rather than the people is another reason. The chosen representatives of the people have succumbed to the entreaties of the powerful interests and the political bosses. Very often, we lose sight of the fact that this is the people's government.

It is high time that we view matters in the proper perspective and legislated on matters of vital concern to our people. The citizenry of Philadelphia are seeking the opportunity to vote on home rule. Why are we denying them the right?

The Local Government Committee has failed to advance one valid reason for postponing action on my home rule bill. I am at a loss to explain it. Thirty-two groups in Philadelphia, comprised mainly of independent republicans interested in home rule legislation are sorely disappointed and are placing the blame where it rightfully belongs. They are blaming the Republican leaders for blocking this valuable piece of legislation.

Let me give you an idea of the inaction by our City Fathers.

Very high electric rates—nothing done about them.

Since the Public Utility Commission has been relieved of jurisdiction over the city-owned gas works, two gas increases have gone into effect and to add insult to injury, the utility-controlled gas works has been authorized \$4,000,000. These things happened at a time when the consumption of both gas and electricity was at its peak and profits reached the high-water mark.

The city of Philadelphia for years leased a city subway costing millions to the Philadelphia Traction Company, and the rentals do not pay carrying charges.

Pure water, although promised for years, never was obtained, and we are still drinking chlorine high-balls.

PTC service is very poor and inadequate, notwithstanding millions spent every year to increase and expand facilities. Many sections of the city are without sewage systems. Many are without recreational facilities. Recently a water main that had not been looked over for sixty years burst, causing untold damage. Aviation companies are forced to leave the Northeast airport because of petty politics.

Little protection is afforded by the police department, which is too steeped in politics, and there are hold-ups and killings by the score. No additions are made to the police department although money is found to help the utilities.

Hundreds of homes are unfit for habitation, they are fire-traps, many are in broken-down condition and very dangerous to live in, yet the law winks its eyes at these violations. They are a source of political strength.

Fifty to seventy-five thousand votes are stolen every year by the corrupt machine. People are either clubbed into voting a certain way or else the ward-heeler votes

for them. It is too dangerous to complain. His home may be condemned, his business interfered with by different inspectors representing weights and measurers, building inspection and the like.

Need I go further. Does not the time call for a change?

Realizing time is short, I am forced therefore to perform the unpleasant duty of moving to discharge the Local Government Committee from further consideration of Senate Bill No. 656.

Mr. President, before this resolution is read may I say it is a privileged resolution and there can not be objection by anybody as it must be voted on today or else do what ever you want to do with it.

RESOLUTION

TO DISCHARGE COMMITTEE ON LOCAL GOVERNMENT FROM FURTHER CONSIDERATION OF SENATE BILL NO. 656

Mr. JASPAN. Mr. President, I as unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. JASPAN, offered the following resolution which was twice read, as follows:

In the Senate, May 21, 1947.

Whereas, Senate Bill No. 656, entitled "An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the powers and authority of local self-government, and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of elections, courts of common pleas and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities," was referred to the Local Government Committee in the Senate on April 28, 1947, and has not been acted upon by said Committee; therefore be it

Resolved, That the Committee on Local Government is hereby discharged from further consideration of Senate Bill No. 656, entitled "An Act to carry into effect section one of article fifteen of the Constitution giving cities of the first class the right and power to frame, adopt and amend their own charters and to exercise the powers and authority of local self-government and providing the procedure therefor; imposing certain restrictions, limitations and regulations; imposing duties upon city councils, city officers, county boards of elections, courts of common pleas and the Secretary of the Commonwealth and providing for the payment of certain expenses by such cities."

RULE 39 SUSPENDED

Mr. JASPAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDING OFFICER. Is there objection. The Chair hears none.

On the question,

Will the Senate agree to the resolution?

Mr. TALLMAN. Mr. President, I object to immediate consideration of the resolution.

POINT OF ORDER

Mr. JASPAN. Mr. President, I rise on a point of order.

The PRESIDING OFFICER. The gentleman from Philadelphia will state his point of order.

Mr. JASPAN. My point of order, Mr. President, is that this is a privileged resolution, calling for discharge of a committee, and it has been the practice and custom of the Senate to immediately act on these matters.

The PRESIDING OFFICER. The point of order of the gentleman from Philadelphia is well taken.

The question before the Senate is shall the resolution be adopted?

And the question recurring,

Will the Senate agree to the resolution?

Mr. JASPAN. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—13

Barr,	Jaspan,	Leader,	Stiefel,
Dent,	Klein,	Rosenfeld,	Tarr,
DiSilvestro,	Lane,	Ruth,	Woodring,
Holland,			

NAYS—30

Becker,	Donlan,	Lord,	Wagner,
Berger,	Farrell,	Mahany,	Wilson,
Blass,	Geltz,	Scarlett,	Wolfe,
Carr,	Hare,	Snowden,	Wood, L. H.,
Chapman,	Heyburn,	Stevenson,	Wood, T. N.,
Crider,	Homsher,	Tallman,	Walker,
Crowe,	Kephart,	Taylor,	Presiding Officer
Doehla,	Letzler,	Wade,	

So the question was determined in the negative.

REPORTS FROM COMMITTEES

Mr. CARR, from the Committee on Agriculture reported as amended, Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

Mr. MAHANY, from the Committee on Local Government reported as amended House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund.

Mr. LEADER, from the Committee on Agriculture reported as committed, House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for pervention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

He also, from the Committee on Agriculture reported as committed, House Bill No. 478, entitled:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners, providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposed powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendations the following nomination, made by His excellency the Governor, which was laid on the table.

MEMBER OF THE STATE ATHLETIC COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In the conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Jones, Williamsport, Lycoming County, for appointment as a member of the State Athletic Commission, to compute from June 18, 1945, for the term of two years and until his successor is appointed and qualified.

JAMES H. DUFF.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

Which was committed to the Committee on Public Health and Welfare.

Mr. CRIDER read in his place and presented to the Chair Senate Bill No. 779, entitled:

An Act to amend section one of the act, approved the fifteenth day of March, one thousand nine hundred eleven (P. L. 20), entitled "An act regulating in criminal trials the cross-examination of a defendant, when testifying in his own behalf," by further providing what evidence is or is not admissible.

Which was committed to the Committee on Judiciary General.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 780, entitled:

An Act to amend Section 4 of an Act dated the 21st day of May, A. D. 1937, entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission and conferring powers and imposing duties on said commission authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls, to pay the cost of such turnpike providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act providing for the collection of tolls for the payment of such bonds and for the cost of maintenance operation and repair of the turnpike making such bonds exempt from taxation constituting such bonds legal investments in certain instances prescribing conditions upon which such turnpike shall become free providing for condemnation granting certain powers and authority to municipal subdivisions

and agencies of the Commonwealth to cooperate with the commission and authorizing the issuance of turnpike revenue refunding bonds" by increasing the salaries of appointed members of the Commission.

Which was committee to the Committee on State Government.

Mr. GELTZ read in his place and presented to the Chair Senate Bill No. 781, entitled:

An Act to further amend Section 4, of the Act approved the 5th day of May 1933 (P. L. 284) entitled "An act imposing a State tax, payable by those herein defined as manufacturers and distributors, on certain alcoholic beverages used or sold and delivered within the Commonwealth; prescribing the method and manner of evidencing the payment and collection of such tax; conferring powers and imposing duties on the Department of Revenue, and those using or engaged in the sale, at retail or wholesale, of alcoholic beverages taxable hereunder; and providing penalties," by further regulating the procedure for filing petitions for reassessment, petitions for review and appeals to Court and collection of delinquent taxes.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 782, entitled:

An Act to amend the Act approved the 21st day of May 1931 (P. L. 149) entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by further regulating the procedure for filing petitions for redetermination, petitions for review and appeals to Court.

Which was committed to the Committee on Judiciary General.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 783, entitled:

An Act to further amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State,

and certain officers of such subdivisions every person, association, and corporation required to pay, assess, or collect taxes, or to make returns of reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," providing for resettlement, review and appeal in certain cases of domestic bonus disputes.

Which was committed to the Committee on Finance.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Which was committed to the Committee on Appropriations.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 785, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Allegheny River on State Highway Route 95 at Glade Run, Warren County, and to provide the necessary approaches thereto, and making an appropriation out of the Motor License Fund.

Which was committed to the Committee on Highways.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred forty-seven, and such time as the funds provided by the General Appropriation Act become available.

Which was committed to the Committee on Appropriations.

CONSIDERATION OF EXECUTIVE NOMINATIONS UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. KEPHART and Mr. SNOWDEN,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

The nomination was read as follows:

MEMBER OF THE STATE ATHLETIC COMMISSION

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 21, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate George J. Jones, Williamsport, Lycoming County, for appointment as a member of the State Athletic Commission, to compute from June 18, 1945, for the term of two years and until his successor is appointed and qualified.

JAMES H. DUFF.

UNANIMOUS CONSENT UNDER RULE 38

Whereupon,

A motion was made by Mr. KEPHART and Mr. SNOWDEN, that the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. KEPHART. Mr. President, I move that the Executive Session do now rise.

Mr. DOEHLA. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION

RECALLING FROM THE GOVERNOR SENATE BILL No. 428

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. HEYBURN, offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 21, 1947.

Resolved (if the House of Representatives concur), That Senate Bill No. 428, Printer's No. 196, entitled "An act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry, and its existing and newly created agencies, with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer, and prescribing penalties, by expressly excluding from the definition of 'employment' services of certain solicitors, agents and salesmen who are compensated on a commission basis," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR
FINAL PASSAGE CALENDAR
BILLS ON FINAL PASSAGE

Agreeably to order,
The Senate resumed the consideration of Senate Bill No. 498, as follows:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All unexpended balances of appropriations made from all funds of the State Treasury by the General Assembly at its session of one thousand nine hundred and thirty-nine or at any session prior thereto which shall remain unexpended on the effective date of this act shall lapse on that date

Section 2 All unexpended and unencumbered balances of appropriations made from all funds of the State Treasury by the General Assembly at its regular session of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two which shall remain unexpended and unencumbered on the effective date of this act shall lapse on that date

Section 3 The provisions of this act shall not apply to any balance remaining of the appropriation of June fifth one thousand nine hundred thirty-seven (Appropriation Acts page thirty-nine) making an appropriation into the Flood Control Fund nor to the appropriation made by the act of August sixth one thousand nine hundred forty-one (P. L. 849) relating to the acquisition of Robert Fulton's Birthplace or to the unexpended balance remaining of the appropriation made by the act approved the first day of August one thousand nine hundred forty-one (P. L. 609) entitled "An act providing for the acquisition by the Department of Forests and Waters in the name of the Commonwealth of certain lands in Luzerne Sullivan and Wyoming Counties for use as a State Park making an appropriation for said acquisition providing for the management of said property by said department and defining the uses to which the property shall be put" nor to the unexpended balances of the appropriations for Darby Creek construction and maintenance made by the Act of June 1 1943 Appropriation Acts Page 17 nor to the appropriation for the maintenance of the Pennsylvania Canal made by the Act of June 1 1943 Appropriation Acts Page 47 nor to the appropriation for protection of the State Park and State highway on Presque Isle Peninsula at Erie made by the Act of June 1 1943 Appropriation Acts Page 16 nor to the balance of the appropriation for Welfare Institutional construction made by the Act of June 1 1943 Appropriation Acts Page 53 nor to the appropriation for Capitol Park extension made by the Act of June 3 1943 Pamphlet Laws Page 818.

Section 4 This act shall be effective upon the date of its final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate resumed the consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

On the question,

Shall the bill pass finally?

RECONSIDERATION OF HOUSE BILL No. 503

Mr. HOMSHER. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 503 passed third reading.

The PRESIDING OFFICER. How did the Senator vote?
Mr. HOMSHER. Mr. President, I voted with the majority.

Mr. CROWE. Mr. President, I second the motion?

The PRESIDING OFFICER. How did the Senator vote?

Mr. CROWE. Mr. President, I voted with the majority.
The motion was agreed to.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 503, entitled:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, at the end of line 9, by inserting after the word "zones" the following: "making it unlawful for certain persons to wilfully disturb wild birds or wild animals within safety zones"; Amend sec. 2 (Sec. 808), page 5, line 8, by inserting between the words "Shooting" and "in" the following: "or Disturbing Wildlife"; Amend sec. 2 (Sec. 808), page 6, line 17, by inserting between the words "safety zone" and "without" the following: "or to shoot at any wild birds or wild animal while it is within such safety zone"; Amend sec. 2 (Sec. 808), page 6, after line 19, by inserting a new paragraph reading as follows: "During any open hunting or trapping season it is unlawful for any person, other than the owner or occupant, to wilfully hunt for, pursue, disturb, or otherwise chase, any wild animal or bird within the safety zone designated in the preceding paragraph, without the specific advance permission of the owner or occupant thereof".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 57, as follows:

An Act to add section three thousand seven hundred twenty-two to the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article thirty-seven of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding at the end thereof a new section to read as follows

Section 3722 Sale of Unusual and Unnecessary Land and Buildings The council of each city is hereby vested with the necessary power and authority to sell unused and unnecessary lands and buildings that have been dedicated to park purposes by public auction upon sealed bids or at private sale with approval of the court of common pleas provided nevertheless that before any such sale is made counsel shall advertise said proposed sale in accordance with the publication required under the contract sections of the third class city code

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 272, on third reading, entitled:

An Act to further amend section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the period before which temporary professional employes may become professional employes go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 344, as follows:

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards be-

fore whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" changing compensation of board members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" is hereby amended to read as follows

Section 4 Each board member shall receive [six dollars (\$6.00)] ten dollars (\$10) a day for each day actually employed not exceeding fifteen days in all and mileage at the rate of five cents a mile for each mile necessarily traveled in going from his home to the place of meeting and return by the shortest practicable railway route The committee of six shall receive additional compensation at the rate of [six] ten dollars a day and mileage at the rate of five cents a mile while preparing the questions and answers Each member shall also be reimbursed for all other necessary expenses incurred in the discharge of his duties Each board of examiners is hereby authorized to employ the services of a clerk whose compensation and rate of mileage shall be the same as that of members of the board The clerk of each board shall on final adjournment send to the Chief of the Department of Mines properly attested vouchers for compensation and expenses of each member of the board and also a voucher covering his own compensation and expenses which vouchers shall be approved by the chairman and the secretary of the board The Chief of the Department of Mines shall then approve said vouchers and transmit them to the Auditor General who shall issue warrants on the State Treasurer for their payment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margle,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Recording Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS POSTPONED

Mr. HOMSHER. Mr. President, I move that Senate Bill No. 359, on third reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the word "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by further defining the term "pharmacy" and further regulating the registration of certain persons

be placed on the Third reading postponed calendar.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 373, on third reading, entitled:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and offices imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

be placed on the Third reading postponed calendar.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 422, on third reading, entitled:

An Act to amend the title and sections one two and three of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 606) entitled "An act relating to the sale transfer assignment and pledge of accounts receivable" by further defining the term "accounts receivable" and further providing for notation of assignments upon the books of the assignor and for giving notice of assignments to accounts debtors and the effects thereof respectively

be placed on the Third reading postponed calendar.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. SNOWDEN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amendments to Section 2.

Amend page 5, line 15, by striking out the brackets at the beginning and ending of said line; Amend page 5, line 15, by inserting a bracket [before the word "forty-five"; Amend page 5, line 15, by inserting after the word "forty-five" a bracket] and the word fifty.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 493, entitled:

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in posses-

sion with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, first line of title, by inserting after the word "three" the following "section four and to amend section eight"; Amend title, page 2, last line of title, by inserting after the word "cases" the following: "and further providing for unlawful use of containers and other equipment and the enforcement of the provisions of the act"; Amend sec. 1, page 2, line 1, by inserting after the word "three" the following: "and section four"; Amend section 1, page 3, line 2, by striking out the word "is" and inserting in lieu thereof: "are"; Amend section 1, (sec. 3), page 3, lines 14 to 20, inclusive, by striking out the words "french custard frozen custard sherbet" in line 14, and all of lines 15 to 20, inclusive; Amend section 1, (sec. 3), page 4, lines 1 to 5, inclusive, by striking out all of said lines and inserting in lieu thereof the following: "frozen custard, french custard, sherbet ice or a fruit ice when properly wrapped or packaged by the manufacturer and in unbroken packages or containers for delivery to the consumer may be offered for sale from one or more separate compartments of a refrigerated container or cabinet of which other separate compartments contain properly wrapped, unbroken and sealed packages of frozen foods ready for delivery to the consumer. Nothing contained in this clause shall be construed to modify in any way section four of this act."

Section 4. It is unlawful for any person, association, partnership, or corporation, to sell, offer for sale, expose for sale, or have in possession with intent to sell, any ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbets, ices, or fruit ices, in any container which is falsely labeled, or branded, as to the name of the manufacturer thereof, or to misrepresent in any way the place of manufacture thereof, or to fail to place on each original container, or package, the name and address of said manufacturer, preceded by the words "manufactured by" or followed by the word "manufacturer."

It is unlawful for any person to use or cause or allow to be used any equipment, cabinet, can, container or refrigerating device owned, leased or maintained by one manufacturer or distributor for the purpose of preserving, refrigerating or holding any ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice or fruit ice or any type of frozen food of another manufacturer or distributor or for any person knowingly to supply or place or deposit ice cream, custard ice cream,

french ice cream, french custard, frozen custard, sherbet ice or fruit ice or any type of frozen food of one manufacturer or distributor in any equipment, cabinet, can, container, or refrigerating device owned, leased or maintained by another manufacturer or distributor for the purpose of preserving, refrigerating, or holding any ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice or fruit ice or any type of frozen food.

It is unlawful for any person to sell ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice or fruit ice or frozen foods knowing or having reason to know that any of such products will be held, preserved or refrigerated in the equipment, cabinet, can, container or refrigerating device or equipment owned, leased or maintained by another manufacturer or distributor.

It is unlawful for any person other than the owner to remove, erase, obliterate, cover or conceal any manufacturer's or owner's name, insignia, device or distinguishing mark which may appear or be placed on any ice cream equipment, cabinet, can or other container.

Section 2. Section eight of said act is hereby amended to read as follows:

Section 8. The Department of Agriculture is charged with the enforcement of the provisions of this act: Provided, however, That this provision shall not prevent any person or trade association from making complaints in the usual manner before any magistrate, alderman, or justice of the peace of any city, borough, incorporated town or township of this Commonwealth where the alleged violation took place for a violation of the provisions of this act.

The department is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, as follows:

An Act directing the Department of Public Instruction to revise the curricula of elementary secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands

Whereas Our forefathers in establishing this country found it desirable that ample provision should be made for education in order to perpetuate the ideals of free government and

Whereas Education can be used either to perpetuate our American way of life or used adversely as in certain European countries to promote the wrong ideologies and

Whereas A thorough education of our people in the ex-

cellence of our form of government in the full meaning of the American form of government in the greater understanding of our guaranteed rights of personal liberty personal security and private property in the benefits to be derived from our economic system and in those sound principles which underlie our established social order are essential to a continuation of our way of life and

Whereas In recent years the promotion of the war effort and the curtailment of staff and funds have prevented the Department of Public Instruction from developing and improving the courses of study for the public schools of Pennsylvania to meet present day needs therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Instruction is hereby authorized and directed to undertake and promote a revision of the curricula of all elementary secondary and vocational public schools of the Commonwealth for the purpose of offering courses of study to the pupils of such schools which will give to such pupils a thorough and complete education in (1) the history of the American government its principles ideals and advantages (2) the function and place of the Federal State and local government systems under the American form of government (3) the economic system functioning under the American form of government and the advantages thereof (4) the duties and obligations of the individual in relation to our form of government and (5) the affinity between the American form of government and the moral and spiritual concepts of the Nation

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page one, line 3 of the title by inserting after the word "of" the words "the American Democracy"; Amend page 2, next to last preamble, line 2 of paragraph by inserting after the word "the" where it appears for the second time in said line, the words, "American Democracy our"; Amend Section 1, page 3, line 2, by inserting after the word "the" where it appears for the second time in said line, the words, "American Democracy our"; Amend Section 1, page 3, line 4, by inserting after the word "the" the following words, "American Democracy our"; Amend Section 1, page 3, line 5, by inserting after the word "the" where it appears for the second time in said line the words, "American Democracy our"; Amend Section 1, page 3, line 6, by inserting after the word "thereof" the following; "in comparison with economic systems in force under other forms of government"; Amend Section 1, page 3, line 9, by inserting after the word "the" where it appears for the second time in said line, the words, "American Democracy our".

On the question,

Will the Senate agree to the amendments?

Mr. TALLMAN. Mr. President I object to adoption of the amendments.

Mr. DENT. Mr. President, as a matter of information, the gentleman objected to consideration? Did I hear the gentleman say he objects to consideration?

The PRESIDING OFFICER. The gentleman from Lehigh objected to adoption of the amendment.

Mr. DENT. Oh, adoption. Then, Mr. President, a vote in the affirmative is a vote for the amendment and a vote in the negative is a vote against the amendments?

The PRESIDING OFFICER. The Chair advises the gentleman from Westmoreland that a motion will have to be made for adoption of the amendments.

Mr. DENT. I move the adoption of the amendment.

Mr. BARR. I second the motion.

Mr. DENT. Mr. President, before the vote is taken I would like to interrogate the majority floor leader.

The PRESIDING OFFICER. Will the gentleman from Lehigh permit himself to be interrogated.

Mr. TALLMAN. I will, Mr. President.

Mr. DENT. Mr. President, will the gentleman from Lehigh tell me why there is objection to these amendments—I mean the contents of the amendments, what is the objection to them?

Mr. TALLMAN. Mr. President, this matter was fully debated on the floor yesterday and the position of the members on this side of the Senate has been fully explained and the gentleman on this side of the Senate expect to continue to maintain the position which was represented yesterday in the debate.

Mr. DENT. Mr. President, then am I to assume that by opposing inclusion of the words "American democracy" they do not want to teach American democracy in our schools of Pennsylvania? Is that right or wrong?

The PRESIDING OFFICER. The Chair advises the gentleman from Westmoreland that objection was made to the amendments offered.

Mr. DENT. Mr. President, I further desire to interrogate the gentleman from Lehigh.

The PRESIDING OFFICER. Will the gentleman from Lehigh permit himself to be further interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. DENT. Is the majority then objecting to the teaching of American democracy in the schools of Pennsylvania.

Mr. TALLMAN. Mr. President, there can be no misunderstanding, and ought not be any misunderstanding about the position of this side on the matter of these amendments.

Certainly we believe—whether you call it American democracy or whether you call it American Republic, or whether you call it this form of government, the members on this side of the Chamber are interested that the school children of Pennsylvania shall be taught about this form of government, by whatever name you choose to call it.

Mr. DENT. Mr. President, I want the Senate to know we are only putting into the bill the original wording of the bill as presented by the sponsor. We are now trying to say that the children of Pennsylvania must be taught in the classrooms the true meaning, the true value of our American democracy as it exists, as it functions under our American form of government. Nothing could be more explicit, nothing could be plainer, nothing could be more American.

I suggest to the Chair and to the members of the Senate that when we specifically restrict the teaching and forbid, if you please, the usage of the words "American Democracy" by an act of Legislature, I say that we are doing an injustice to the children of the Commonwealth.

The second item in this group of amendments deals

with the question contained on page 3, where, according to the words of the sponsor of the amendment and of the member of the Senate who is acting as the President pro tempore at this time, you took out on page 3, line 6, the specific right to teach the American form of government "in comparison with economic systems in force under other forms of government."

Relative to that situation I believe one newspaper that has been called to my attention took cognizance of the fact that the Pennsylvania State Senate was considering legislation that would do exactly the thing that I said upon the floor would happen if we passed this bill in its present amended form. I read from an editorial appearing in the Pittsburgh Post-Gazette as of today, and I quote:

"CLASSROOM CURTAINS

"State Senator Geltz' proposal to bar public school teachers in Pennsylvania from comparing the American system of government with that of other countries, including Russia, reflects a lamentable lack of faith in the ability of our form of government to stand on its merits.

"The best way to subject the American system to doubt and suspicion, it seems to us, is to put intellectual freedom behind an iron curtain.

"The public schools should acquaint students with all forms of government. The American system will not suffer by comparison. Any reasonably bright pupil will soon realize that the intellectual freedom afforded him in school is one of the most precious heritages of the American system.

"Let us not in a postwar wave of hysteria resort to totalitarian suppression of those things most American. We don't want any iron curtains in our classrooms."

Too often, Mr. President, misrepresentation of motives seems to be the general rule when votes are taken upon the floor of the Senate. I do not believe Senator Geltz wants to deprive children of this Commonwealth of the benefit of learning by comparison. I do not believe Senator Walker wants to deprive children of this Commonwealth of the right to learn by comparison. Fundamentally that is the basic principle of teaching and, although I have not had the opportunity to have as much formal education as some of the other members of the Senate, I have learned, what little I know, by reading comparative histories and biographies of great men and of countries and I believe that you are destroying the very thing that you want to do by this act of Legislature, because you want to inculcate into the minds of the children of America a strong patriotic feeling of adherence to the constitutional privileges of this nation and a deep and abiding love for the privileges we here enjoy, and yet, by our action here, we say to these children here, ours is the best government and when they say, what other type government is there, the teacher must remain mute, she can not answer and say "this is the type of government some people must live under and these are its disadvantages as they are compared with our government."

I do not think that makes too much difference. I believe the teachers will use their own judgment, regardless of what kind of legislation we pass, and I think every teacher in the Commonwealth of Pennsylvania

would resent the passage of an act that would restrict them in their duties as they see them. I might say to the members of the Senate—and I stand to be corrected if I am in error—that I believe the present laws of the Commonwealth governing education give to the Superintendent of Public Instruction in Pennsylvania the right to add to the curricula of our schools the very subject matter contained within this bill. However, there is nothing in our law today that restricts that superintendent and ties his hands. This bill would do just that and I believe, Mr. President, that it is a blind, stubborn attitude that is compelling the majority in this case to back up their misjudgment of yesterday and of the day before, to defeat these amendments, rather than to admit they are in error—they would rather continue the error.

Mr. President, I hope I may never become so blindly partison or so blindly compelled to follow caucus rule that, when I am in error, I have not the courage to stand up and say so. I have talked with individual members of the Senate on the other side and they tell me this bill does not do what Senator Geltz says it does, or what Senator Walker says it does; they say I am all wrong, it does not deprive the teacher of the right to compare various forms of government. If that is true then the statement made by the opposition as to the reasons for opposition to the amendment by Senator Geltz are not sound. If they are not sound we ought to know. If the majority feels they want to deprive teachers in our public schools of the right to compare our form of government with any form of government, then stand upon that premise, but do not say our amendment does not do any damage, that even although we are trying to take that right away, the bill still contains that right.

I say to you, Mr. President, I believe this to be a democratic form of government, operating under a representative republic. There are other republics on the face of the earth, notably the Republic of Soviet States. I do not personally consider Russia a democracy. I do consider Russia a Republic. There is a distinct difference between the Republic of Soviet States, operating under the totalitarian system of communistic government, and the Republic of the United States operating under a representative democracy, and I say every child in Pennsylvania ought to know that our form of government is a representative democracy.

Mr. GELTZ. Mr. President, I would not blame any newspaper in this Commonwealth or in this country for getting mixed up in a situation which comes about by reason of distortion of facts, as has taken place so consistently by members on the other side. This last speech was an indication of that, just as was the one made earlier today by the gentleman from Northampton, Senator Woodring, insofar as concerns the action of the Insurance Commissioner, James F. Malone. If we are going to constantly stand up in this Chamber and distort situations and tell things which are only half truths, sometimes if any parts of the truth, then it is little wonder that reports go out from Harrisburg and get into the newspapers which present an entirely improper state of facts.

In that connection, Mr. President, I would like to interrogate the gentleman from Westmoreland.

The PRESIDING OFFICER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, Mr. President.

Mr. GELTZ. Can the gentleman from Westmoreland show me in Senate Bill 534 any words which create or bring about a prohibition such as he just talked about.

Mr. DENT. Mr. President, I would answer that question by asking the reporter of the Senate of Pennsylvania to read the statements made by the gentleman from Allegheny, Mr. Geltz, in support of his amendments the first day this bill was before us, Monday afternoon; I therefore request that the answer be given by the reporter of the Senate, who will answer the gentleman with his own statement.

Mr. GELTZ. Mr. President, I submit that is begging the question. The gentleman from Westmoreland made the statement in debate today that that was the situation and I am now asking him if he will tell us, in Senate Bill 534, where there are any words which indicate such a prohibition.

Mr. DENT. Mr. President, I can only answer by saying I took the gentleman's reasoning for putting in the amendments to be the basis of thinking behind the amendments. I specifically show him Page 3, where the words contained in this bill, line 5, originally stated "the economic system functioning under the American form of government and the advantages thereof in comparison with economic systems in force under other forms of government." The amendments submitted by the gentleman from Allegheny specifically removed the words "in comparison with economic systems in force under other forms of government."

I do not say, Mr. President, that this bill denies that specifically, if a teacher so wants to contrue the act, but I do say that the intention of the amendment, according to the gentleman's own words, was to deprive the teacher of that right.

Mr. GELTZ. Mr. President, since the gentleman from Westmoreland is so willing to take my advice apparently, I hope he will now take this advice of mine and rest assured that no amendment that has been placed in this bill prohibits the teaching of any other economic systems.

Mr. DENT. Mr. President, I thank the gentleman for his sound advice. I would now like to interrogate him.

The PRESIDING OFFICER. The gentleman from Allegheny still has the floor.

Mr. GELTZ. I will be glad to yield the floor to the gentleman from Westmoreland and be interrogated by him.

The PRESIDING OFFICER. The Chair recognizes the gentleman from Westmoreland, who desires to interrogate the gentleman from Allegheny, Senator Geltz. The gentleman from Westmoreland will proceed.

Mr. DENT. When I first objected to your amendment, Mr. Geltz, did you or did you not state to the Senate of Pennsylvania that the reason for the amendment was to deprive the teachers of this Commonwealth of the right to compare this government with any other government, specifically the communistic government of Russia.

Mr. GELTZ. Mr. President, my recollection of the statement is that we did not want wording in this bill that would compel teachers, some of whom were too willing already to teach other forms of government such as communism and the Soviet system, and the amendment which was put in yesterday simply takes out of the bill

the compulsion upon the teacher to teach other forms of government or other economic systems, but in no way prohibits the teacher or the school system from teaching those things.

Mr. DENT. I thank the gentleman very kindly. He, of course, has now restated his position and I believe he is sincere in so doing. I do not believe the newspaper article had anything to do with him changing his position from his original stand.

However, I am grateful and I know the members of the Senate are grateful to know, that Jim Geltz has not added himself to that group of persons in the United States who, because of war hysteria, are trying to place upon the American people restrictions that he himself knows are not compatible with our form of government.

I believe Mr. Geltz is sincere. I want to say to him now, as the bill now reads, any person can vote either yes or no because the rights contained in this bill, as he so ably points out, are contained in our present law and any teacher can teach specific subjects if the Superintendent of Public Instruction adds them to the curricula.

Mr. GELTZ. Mr. President, the last statement of my colleague from Westmoreland county is again a distortion of the situation. If he is sincerely sorry for what has taken place, he should then take back all the things which he said, not against his good friend, Senator Geltz, but against the bill in its present condition, because he made certain representations here on the floor as to this bill bringing about a situation in this Commonwealth which would be similar to a totalitarian situation. Now he understands, if he did not understand before—and I think he did, that is not the situation and I think if he is really sincere he should take back his misrepresentation of what this bill actually does.

Mr. DENT. Mr. President, I would like to say to the gentleman from Allegheny that I do not have to change my position because I have said from the very beginning that I am sure we should not put an iron curtain around the children of the State of Pennsylvania in our public schools. I stand upon that premise. I want to assure the gentleman I do not think he was being persuaded to change his original stand by any newspaper item. However, that is a matter for him to determine.

So far as my taking back anything, Mr. President, I am willing to let the reporter read what I said from the beginning of this debate. I am willing to stand upon the record we have made relative to this type of legislation and I am willing to have read into the record again the original remarks of the gentleman when he said the amendments were put in there to specifically deprive any teacher of the right to teach any system of government in our schools, other than the American system. The record stands. The records are here. We can find out. We need not stand here and smooth each other up by trying to be nice to each other, if there is not a certain amount of sincerity in what we say to each other.

I started out on the premise that I will not remain a member of the Senate of Pennsylvania and allow any type legislation to pass if its intent is to do what I called attention to in my original statement.

However, if the gentleman who put the amendment in says that is the intention of the bill, what other position can I take than to say, if it does not put an iron curtain

around the children and around the teachers in Pennsylvania, I naturally would be for it, because it is only a flag-waving proposition anyway. The teachers in Pennsylvania can and are now teaching in the schools of Pennsylvania the value of our democracy.

Mr. ROSENFELD. Mr. President, I said yesterday and I repeat today that the bill, as it previously read and as it reads now, will permit the teaching and the comparisons of our form of government with others.

I take issue, however, with what I determine to be the apparent intention of the amendments which were submitted originally, removing from the bill the words "in comparison with economic systems in force under other forms of government." To me that had but one meaning, and that indicated there was apparently an effort to take away from the Superintendent of Public Instruction in preparing his curricula the right to make comparisons with other forms of government.

The bill, however, still contains the word "advantages" in two places, and, according to the dictionary, the word "advantage" means a condition of being in advance of or superior to, and I can not imagine how we can be in advance of or superior to anything unless we state what that thing is, unless we make comparisons.

Again I say I take issue with what I consider the intent of the original amendment, and I say it specifically in view of the preamble to this bill, the second "whereas" clause, "Whereas, education can be used either to perpetuate our American way of life or used adversely as in certain European countries to promote the wrong ideologies."

I say to you, Mr. President, if the sponsor of this bill, if the gentleman who prepared it, thought that we, members of the Legislature who are supposed to be intelligent, have to have called to our attention the fact that our way of life is different than that in certain European countries, then certainly there seems to be no reason for the introduction of an amendment which removed the same thing in Section I of the bill.

And the question recurring,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TARR. As I stated Monday in my few remarks pertaining to Senate Bill No. 534, I again want to reaffirm not only my position as a Senator but as a teacher, and at the same time express the views of all teachers of Pennsylvania, that we regard such legislation as an insult to the teaching profession.

As you well know, the teachers are not being paid any too well and we are uncertain as to what our prospects are going to be. We also know there are thousands of schools in Pennsylvania where, for the past eight years, children have never once had the experience of attending school under a qualified teacher. There are thousands of vacancies filled by substitutes. Under these circumstances why does this body add insult to injury by telling the teaching profession that they are so poor and weak that they may not know what to teach

and therefore, we, in the Senate, must tell them what and how they must teach?

I am confident it was not the intent of the writers of the Constitution that the General Assembly should prescribe in great detail what should be taught, nor when. It was the duty of the General Assembly to provide funds and to provide for proper organized bodies to outline what should be taught in the schools. We, of the General Assembly, have created the Department of Public Instruction. We have created the State Council of Education. We have created local boards of education and, in turn, they have employed professional people to answer these questions. It is not the job of the General Assembly to tell the teachers of Pennsylvania in great detail what and when to teach the various subjects.

I am equally confident that the teaching profession is just as loyal to our American form of government and to American democracy as any other body. They are just as loyal as the members of the General Assembly.

I see great harm in the passage of such legislation which, after all, is perfectly meaningless unless funds are made available to the Department of Public Instruction to carry out a thorough revision of the curriculum.

I wonder whether the members of this body are aware of the fact that in Pennsylvania we have but one person in the Department of Public Instruction supervising all of the elementary schools. I wonder whether we are aware of the fact that all of the county superintendents of schools are secondary schoolmen, as well as practically all of the assistant county superintendents. I believe the time has come when we should seriously undertake this task of providing the schools with the wherewithal to really do a good job. We should start in the Department of Public Instruction.

I would have been happy to have been the co-author of Senate Bill No. 440 introduced by the Senator from Somerset. The legislation in this bill is the kind of legislation that talks—that does something—that really makes it possible for the Department of Public Instruction to do a good job.

You Senators are probably all aware of the very splendid work which is being done in the Department of Public Instruction at the present time in the elementary curriculum review which is taking place. This is but a beginning—and this program can not go on without funds.

Such bills as Senate Bill No. 534 merely aggravate the situation. That is also true of House Bill No. 285, which we recently considered here, and which would require the teaching of certain kinds of "fire fighting."

It would be interesting to note, in a review of present school legislation, how much history must be taught and when, how much alcohol education must be taught, as well as humane and conservation education, to note that no cruel experiment may be performed on animals, and lots of similar legislation. This type of legislation only reflects the expressions of special interest groups and does not work to the best interests of all the boys and girls within the Commonwealth.

Let us tackle this job of education seriously. Let us vote against Senate Bill No. 534 and let this body bring out Senate Bill No. 440 and really tackle this job of curriculum rebuilding. Let us provide the funds and

hold the Department of Public Instruction responsible for doing a good job. It is worthy of a trial.

So that I might not be accused, after the session is over, after we leave the floor, of waving the flag or being a red-baiter, I am saying that I am voting "no" on this bill and I am voting no on this bill because I believe this type of legislation only muddles the waters and prevents the very efficient Department of Public Instruction of Pennsylvania from doing the job which is needed, the job which must be done, lest Pennsylvania schools fall to a scale which is much lower than that of any of our surrounding states. Defeat this bill. Let us put on the statute books of Pennsylvania Senate Bill 440 introduced by the Senator from Somerset, Mr. Hare, and make a real constructive study of the curricula in the schools of the Commonwealth. Give the Department of Public Instruction funds and you will not have to worry about whether anything is taught in our public schools other than good common Americanism.

Mr. HOLLAND. Mr. President, when Hitler came into power in Germany, his first act was to destroy the free labor movement of Germany. This, he said, was being done to protect the workers from Communism and labor leaders.

Hitler's next step was to deny the right to teach in the schools any other ideology but that espoused by the Nazi Party.

In every speech Hitler made he emphasized the necessity of indoctrinating German youth with the love of the Fuehrer, and the Nazi Party that the Fuehrer represented. Hitler forbade the comparison of the Nazi System to the Capitalistic System as taught in other countries.

Gentlemen, I often wonder if we are not following the same footsteps of Hitler in America. Bills have been introduced in Washington, and in Harrisburg—First: to destroy the free American labor movement; and secondly: to destroy our public school system by using indoctrination instead of the American system of education.

We forget that our American school system has survived hysteria many times in the past. Innocent people were put in jail, and yes, many killed, fighting for the same kind of freedom that we fought two wars to preserve. These people were killed in America by Americans, who had the power and the money—yes, I mean political power, to impose upon the people, the wrong interpretation of what America really is.

We were able in 1932 to survive the collapse of an economic system that was forced on the American people by certain industrialists through the control of legislation bodies. These greedy and grasping industrialists, and there were only a few, were reaping all the profit. Labor, the ultimate consumer and the barometer of prosperity, was unable with the wages it received for its work, to buy back the very products it manufactured.

In 1932, the farmers in the Middle West were attending sheriff sales with pitchforks and guns. The sheriff would start each sale by stating that he was forced to do it by law and then would sell back to the friends of the farmer his live stock, machinery, household equipment, for a ten dollar bill.

Unemployed in the cities were sleeping on benches, under bridges, standing in the soup lines. Entire families were evicted to the sidewalk.

Veterans of World War I were selling apples on the

corner. Veterans marched to Washington for a much needed bonus. Can you picture a member of this General Assembly standing before the hungry mob of 1932, telling them our economic system, at that time, was the greatest in the world?

A country is great when their people are working at decent wages; when the fear of unemployment is not in the minds of the people; when the people know they will be able to supply medical attention to their sick babies; when a husband knows that he can give maternity care to his wife at childbirth; when the families of low income brackets shall not be living in filth and squalor in slums.

I think we should consider the rise of economic ideologies foreign to the capitalistic system, and the causes for their existence.

When Hitler came into being, the economic system of Germany had reached a status-quo; it could not go any lower. Hitler promised them food, and the people followed him. Mussolini came into being the same way. In Russia, they would never had been a Lenin or a Stalin if the Russian people had not revolted for food. Caloused rulers had forgotten that people too, were human, and must be treated as human beings, and not as mere slaves, deprived of inalienable rights.

Destroying labor unions, adopting the Nazi System of education, or the Fascist or the Communists' System of replacing education with propaganda, is not the solution to making America strong. The solution is making the profit system under which we live work.

This Senate should have been deliberating since the first day it was called to order on ways and means to control profiteering. Manufacturer's of children's foods have increased their profits 245 percent in 1946 over 1945, and in the first quarter of 1945, have doubled their profits that they made in 1946.

If America is to survive as a capitalistic nation, we must see that profit is not a one-way street, but that everyone working in our system must have their share of profits.

Propaganda is being spread that labor's high wages are responsible for high prices, and at the same time, every financial sheet and newspaper in America is pointing to profits after taxes as the highest in the history of America.

Gentlemen, can't you see that this is what causes the seed of Communism, Fascism, Nazism, to be planted and to grow?

You can not stand before a group of returned veterans, who do not have a home to live in—a family divided—wife lives with her people, and he with his; with their children divided between two homes, and enthrone him with a system. Yes, a system he fought and bled for. Try living on the average pay of a worker with five children, at \$48.25 per week, with the price of living as it is.

We are going after the problem in the wrong way. The only thing wrong with our schools is that we expect the teachers to teach a profit system that they personally do not enjoy.

Instead of showing a profit on the money they receive for their services, they have shown a loss ever since they came into the teacher's profession. They have been loyal to America.

I do not know of any teacher in the Pittsburgh public schools today who has taught, either directly or by innuendo, that American Democracy and the American way of life is not superior to any other system existing in any other country in the world. Education is the responsibility of our teachers. I have confidence in them, I trust them, let us quit minding their business of teaching, and mind our business that they be given a decent salary.

Let us mind our business of supplying houses for the returned veteran. Let us mind our business and stop profiteering on the food that the people must buy to exist. Let us mind our business and believe the good American who owns a home from the excessive real estate tax he pays, while we exempt the utility.

Let us mind our business and clean up our political system of the padded payrolls, and of the many who are on the payrolls, merely because they control a few votes, and never do a day's work. Let us mind our business by exposing to the public gaze the invisible government by lobbyists. Let us mind our business by taking care of the mentally ill.

Let us mind our business by first putting our own house in order by driving out of our system grafter, the corrupt politician who uses public office to amass a fortune. Corrupt political parties are responsible for the destroying of any country. If we put our own house in order we need have no fear of comparing American Democracy with any government existing in the world.

Communism will never destroy America, nor Fascism, nor Nazism, but greedy politicians will. If evils exist, we must cure the source of those evils.

You are not going to do it by passing laws to destroy the free American labor system. You are not going to do it by destroying the free public school of America. Certain partisan politicians are trying to do just that in America today.

It is too bad we can not have a law to make every public officer study history, and learn by the mistakes of history, instead of repeating the mistakes as we are doing in this session of the legislature.

The majority party in Pennsylvania is responsible for the longest "do-nothing" session of the legislature in many years. The citizen can honestly say "where, and when do we go from here."

PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise on a parliamentary inquiry.

The PRESIDING OFFICER. The gentleman from Allegheny will state his parliamentary inquiry.

Mr. BARR. Mr. President, I would like a ruling from the Chair, as I understand this bill is not properly before us. My reason for that is that in the previous printer's number, namely, printer's No. 315, there appears certain strikeouts; I also say, Mr. President, that when this bill goes over to the House they will not be fully informed of what action has been taken on the floor of the Senate from the time this bill was introduced up until now.

(The Senate was at ease.)

The PRESIDING OFFICER. The Chair advises the gentleman from Allegheny, Senator Barr, that under the rules of the Senate his point is not well taken.

And the question recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,	Donlan,	Letzler,	Taylor,
Becker,	Farrell,	Lord,	Tyler,
Berger,	Frazier,	Mahany,	Wade,
Blass,	Geltz,	Mallery,	Wagner,
Carr,	Hare,	Rosenfeld,	Wilson,
Chapman,	Heyburn,	Scarlett,	Wolfe,
Crider,	Homsher,	Snowden,	Wood, L. H.,
Crowe,	Kephart,	Stevenson,	Wood, T. N.,
DiSilvestro,	Klein,	Stiefel,	Walker,
Doehla,	Lane,	Tallman,	Presiding Officer

NAYS—5

Dent,	Holland,	Jaspan,	Tarr,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 588, on third reading, entitled:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

be placed on the THIRD reading postponed calendar.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 603, on third reading, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on third reading, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of

one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 631, on third reading, entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties

be placed on the THIRD reading postponed calendar.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 670, as follows:

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the thirtieth day of April one thousand nine hundred twenty-five (P. L. 378) is hereby further amended to read as follows

Section 1402 A child shall be considered a resident of the school district in which his parents or the guardian of his person resides When a resident of any school district keeps in his home a child of school age not his own supporting the child gratis as if it were his own such child shall be entitled to all free school privileges accorded to resident school children of the district including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district and shall be subject to all the requirements placed

upon resident school children of the district Provided That before accepting such child as a pupil the board of school directors of the district may require such resident to file with the secretary of the board a sworn statement that he is a resident of the district that he is supporting the child gratis that he will assume all personal obligations for the child relative to school requirements and that he intends to so keep and support the child continuously and not merely through the school term

A child whose parents reside on State owned property shall be considered a resident of the school district in which such State owned property is located and such child shall be entitled to all free school privileges accorded to resident school children of the district including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district and the State shall reimburse the district for the tuition charge of such child The amount of such tuition charges shall be determined as provided by section one thousand two hundred sixty of the act to which this is an amendment and shall be paid by the State at the same times and in the same manner as other reimbursements are paid upon certifications by the school district to the Superintendent of Public Instruction as required by section one thousand two hundred fifty-two of the act to which this is an amendment

When a non-resident child is placed in the home of a resident of any school district by order of court or by arrangement with an association agency or institution having the care of neglected and dependent children such resident being compensated for keeping the child any child of school age so placed shall be entitled to all free school privileges accorded to resident school children of the district including the right to attend the public high school maintained in such district or in other districts in the same manner as though such child were in fact a resident school child of the district and the State shall reimburse the district for the education of such child to an amount not exceeding the actual average cost of tuition text-books and supplies for the district's children of similar grade or for other pupils pursuing similar studies for the same length of time such reimbursement to be made out of the money appropriated by the General Assembly for the maintenance and support of the public schools of this Commonwealth Provided That the school district may not be required to accept such children in its schools when their acceptance would involve additional provision for transportation by the district or would require the district to provide additional teachers or rooms at an expense greater than the amount of reimbursement paid to the district by the State

Any resident of any school district before accepting custody of a non-resident child of school age for compensation by order of court or by arrangement with an association agency or institution having the care of dependent or neglected children must secure from the superintendent of schools supervising principal or school board in that district a statement in writing that the child can be accommodated in the schools of the district or that the child cannot be so accommodated and the reasons therefor If such statement be not furnished within two weeks after a request in writing has been made to the board's secretary the supervising principal or the superintendent of schools the board's assent shall be assumed and the child shall be admitted to the schools of the district as a pupil If such statement sets forth conditions such as to exempt the district under this section from accepting the child as a pupil and if such exemption be not disapproved on appeal by the Superintendent of Public Instruction and if other arrangement for the child's schooling satisfactory to the county or district superintendent be not made the child may not be placed in the district

Appeal from the claim of any school district for exemption as provided in this section may be taken to the Superintendent of Public Instruction and his decision thereon after investigation shall be final

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Hornsher,	Ruth,	Willson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 682, as follows:

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Article XI

Special Rules for the Installation of Electricity and for the maintenance of electrical equipment.

It shall be the duty of the mine foreman and superintendent to see that the following rules for the installation of electricity and the installation and maintenance of electrical equipment are observed after the passage of this amendment

* * * * *

Section Six

Electric Locomotives

Trolley System and Open Type Electric Machines

77 Electric haulage by locomotives operated from a trolley wire is not permissible in any gaseous portion of a mine a gaseous portion of a mine as used herein being all the workings and roadways traversed by the

locomotive and ventilated by the same continuous air current and in which portion explosive gas has been generated in sufficient quantity to be detected by an approved safety lamp within a period of two years except when the portion in which the locomotive operates is free of accumulated explosive gas and the highest methane content of the aircurrent in which the locomotive operates is not in excess of five tenths of one per cent and except where the air-current is so guided and directed that the opening or closing of a door will not interrupt or seriously diminish the air flow passing into and through the portion of the mine in which the locomotive operates

Moreover it shall be unlawful in any gaseous portion of a mine as defined in this rule to run or operate a locomotive fed directly or indirectly from a trolley wire by the open entrances to worked out places wherein the pillars have been drawn or places in which the pillars have not been drawn but in which places the roof has collapsed unless such places are constantly and thoroughly ventilated and examined as frequently for explosive gas as active working places are examined

[Commencing one year after the passage of this amendment no] No open type electric locomotive or open type electric machine of whatsoever name shall be taken into a working place or places in a gaseous portion of a mine as defined in this rule [Provided however That the time may be extended with the written consent of the Secretary of Mines] Main return airways [or passageways] shall not be used as haulageways for electric locomotives operated from a trolley wire in gaseous mines Provided however That if at any time after the effective date of this amendment a mine or a part of a mine classed as non-gaseous should be declared gaseous under the provisions of this act the operator of such mine shall within a period not to exceed six (6) months discontinue the use of open type electric locomotive or open type electric machines of any kind in a working place or places in such gaseous mine or portion thereof Upon written request from the operator of any such mine the Secretary of Mines after investigation shall have authority to grant an additional six (6) months period to such operator to discontinue the use of such locomotives or machines

All such non-gaseous mines which may be declared gaseous under the provisions of this act shall within a period not to exceed thirty (30) days otherwise comply with all the provisions of this act as amended relating to the employment of fire boses shot-firers approved safety lamps and the use of explosives

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stietel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 683, as follows:

An Act to further amend section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" applying certain regulations to mines employing fewer than five persons and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the second day of January one thousand nine hundred thirty-four (1933-1934 P. L. 208) is hereby further amended to read as follows

Section 3 The provisions of this act shall not apply to any mine where [less] fewer than five persons are employed or engaged in work inside the mine in any one period of twenty-four hours but any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards and by regulations promulgated by the Secretary of Mines he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably and practically applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a mine in which from two to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution and be imprisoned for a period of thirty (30) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—49.

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Willson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 725, on third reading, entitled:

An Act to reenact amend and revise section forty-one clause (a) paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 898, on third reading, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Common-

wealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

HOUSE BILL No. 788 CALLED FROM POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, from the bills on Third Reading Postponed, on page 9 of the Calendar, I call up for consideration at this time, House Bill No. 788.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 788, as follows:

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended by adding after clause XXV thereof a new clause to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

XXVI Police Protection Districts Assessments To provide police protection and promote the public safety health convenience and welfare of its citizens the board of townships is hereby empowered with the approval of the township auditors on petition of a majority of the property owners of any territory within the township to designate definitely define set apart and limit any part of such territory as a district for the purpose of providing such districts adequate police protection Such police protection may be furnished jointly with one or more other townships or boroughs under an agreement with such townships and boroughs The township supervisors shall annually assess or cause to be assessed the cost and expense of the maintenance of said police protection by an equal assessment on all property benefited by such protection in proportion to the number of feet the same fronts on the street or highway or portion thereof to be protected The supervisors may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against any farm land but vacant lots between built-up section whether tilled or untilled shall not be deemed to be farm lands Provided however That the assessment per front foot against vacant lots shall be only twenty-five per centum (25%) of the assessment per foot front against property with improvements thereon All such assessments for police protection shall be filed with the township tax

collector who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address. The tax collector shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township road tax. If the assessments or any of them remain unpaid at the expiration of not exceeding ninety days the exact time to be fixed by the township supervisors they shall be placed in the hands of the township solicitor for collection. The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected. Where an owner has two or more lots against which there is an assessment for the same year all such lots shall be embrace in one claim. All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep the same in a separate account and pay out the same only upon orders signed by the chairman of the township supervisors attested by the secretary. The tax collector and the treasurer shall make a report to the auditors of the township annually.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Watson,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Wolfe,
Dent,	Kephart,	Snowden,	Wood, L. H.,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Woodring,
Donlan,	Leader,	Tallman,	Walker,
Farrell,			Presiding Officer

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SECOND READING CALENDAR

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that House Bill No. 216, on second reading, entitled:

An Act authorizing the Joint State Government commission to study the educational facilities and needs of the citizens in certain educational fields; the financing, administration and other features of collegiate institutions; prescribing the powers and duties; and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 230, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organization to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employees available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend sec. 1, page 4, line 1, by striking out the words "Clause (f) of section three" and inserting in lieu thereof "Section five"; Amend sec. 1, page 5, lines 16 to 19, by striking out the word "as" in line 16, and all of lines 17 to 19 inclusive; Amend sec. 1 (sec. 3), page 6, lines 1 to 13 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend sec. 2, page 6, line 14, by striking out the words "Section 2 Section five of said act."

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment.

Amend sec. 3, page 7, line 10, by striking out the figure

"3" and inserting in lieu thereof "2".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended.

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 263, entitled:

An Act relating to firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lock-outs providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in an unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

The first section was read.

On the question,

Will the Senate agree to the section?

Messrs. WAGNER and WOLFE offered the following amendment:

Amend sec. 1 (sec. 1), page 4, by inserting after line 8, the following: "Information charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate, alderman or justice of the peace, within the city, borough incorporated town or township where the alleged violation occurred; Provided, That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate, alderman or justice of the peace, any such prosecution may be brought before any one of such officers, or if there is no person holding the office of magistrate, alderman, or justice of the peace in such city, borough, incorporated town or township, then such information shall be brought before such nearest available magistrate, alderman or justice of the peace in any adjoining city, borough, incorporated town or township."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. WAGNER and WOLFE offered the following amendment:

Amend title, page 2, last line of title, by inserting after the part-word "viding" the following: "procedure for enforcement and imposing."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill, No. 314, entitled:

An Act to further amend sections five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act re-

quiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by requiring all city county or other public employes whether paid a per diem wage or otherwise to become members of the pension system of such city and removing optional rate of contribution

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. FARRELL offered the following amendments:

Amend sec. 2 (sec. 6), page 6, lines 4 to 8, by striking out all of lines 4 to 7 and the words "or less he or she shall [not]" and inserting in lieu thereof: "Section 6. Should any person holding a position in [said cities] any city of the first class or any county or other public [employes] employe paid out of the treasury of any such [cities] city as aforesaid be [paid a per diem wage on a salary at a rate of three hundred and sixty dollars each year or less he or she] employed at temporary work with the understanding that it probably will be for a period of not more than three months such employe shall not;" Amend sec. 2 sec. 6), page 6, line 9, by striking out the bracket before the word "[but]"; Amend sec. 2 (sec. 6), page 6, line 11, by striking out the bracket after the word "actl."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. FARRELL offered the following amendments:

Amend Title, page 1, last line of title, by striking out the words "requiring all city, county or other"; Amend Title, page 2, line 1 of title, by striking out the words "public employes whether paid a per diem wage or otherwise" and inserting in lieu thereof: "further prescribing the employes that are required."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. FARRELL. Mr. President, I ask unanimous consent that House Bill No. 314, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 326, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were read and agreed to.

The seventeenth section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendment:

Amend sec. 17, page 19, lines 8 to 10, by striking out all of said lines.

It was agreed to.

The section was agreed to as amended.

The eighteenth, nineteenth, twentieth, twenty-first, twenty-second and twenty-third sections and title were read and agree to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that (House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such

cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 363, entitled:

An Act to amend further the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by changing the method of accounting for advances out of appropriations at the end of a biennium

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill 393, entitled:

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits

and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 426, on second reading, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 471, entitled:

An Act requiring operators political subdivisions and the Commonwealth to seal abandoned coal mines so as to protect streams from acid mine drainage conferring powers and imposing duties on the Department of Mines prescribing penalties and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 471, the bill just read, be recommitted to the Committee on Appropriations.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend clause (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships

within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of motor buses

go over in its order.

The PRESIDING OFFICER Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 542, on second reading, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

go over in its order.

The PRESIDING OFFICER Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 546, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities borough incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals the record of magistrates and the disposition of certain fines and penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 578, on second reading, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

go over in its order. I don't believe it has been printed since the amendments were put in yesterday.

The PRESIDING OFFICER. Is there objection? The Chair hear none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 579, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 580, on second reading, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 585, on second reading, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by transferring certain institutions boards employes functions powers and duties from the Department of Welfare to the Department of Health

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 632, on second reading, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" increasing the minimum and maximum limits of license fees

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 642, entitled:

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employes defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 667, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revision and consolidating the law and relating thereto" changing the provisions thereof authorizing the levy and collection of taxes

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend sec. 1 (sec. 2551) page 2, line 8, by striking out the word "mils" and inserting in lieu thereof "mills"; Amend sec. 1 sec. 2551) page 2, by inserting after line 20 the following: "Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 673, entitled:

An Act to further amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 676, on second reading, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification

regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for licensing of excess insurance brokers in all kinds of insurance other than life.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-nine (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 689, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide Revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 707, entitled:

An Act relating to boarding houses for children; providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance,

operation and conduct thereof, by the Department of Welfare; defining offenses and prescribing penalties and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 707, the bill just read, be recommitted to the Committee on Appropriations.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 709, entitled:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "accumulated deductions" and further regulating withdrawal and payments thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 712, entitled:

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 713, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states

and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof,

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 732, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" validating certain expenditures

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 743, entitled:

An Act to further amend paragraph one of section two hundred forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 759, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 492), entitled "An act providing for the temporary appointment of policemen in boroughs, incorporated towns and townships of the first class, for a limited period, without conferring civil service status upon the appointees," permitting the conferring of civil status on appointees in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 761, entitled:

An Act to amend section three of Article VIII of the act approved the twenty-first day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to pro-

vide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of examining board members

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 771, on second reading, entitled:

An Act to further amend section one of the act, approved the thirteenth day of April, one thousand eight hundred eighty-seven (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 810, entitled:

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth, and prescribing a limitation period within which such petitions must be filed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 884, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid to the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203), and prescribing a limitation period within which such petitions must be filed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 919, entitled:

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class;

amending, revising, consolidating, and changing the law relating thereto," providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor, and the assessment and collection of the cost thereof from property benefited thereby.

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1035, entitled:

An Act to amend section forty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that the surety on the bond or bonds of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1057, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase, gift or eminent domain the renting and selling of property and including borrowing moneys issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1084, entitled:

An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was created.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1191), entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of the Commonwealth for the financing of plans and specifications for public works; and making an appropriation," providing for the winding up of the functions of the Pennsylvania Post-War planning Commission by the State Planning Board; and reappropriating the unexpended balance of the appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1091, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commission and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by amending Sections 220 and 2413 and adding new Sections 526 and 701 (1) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission and to direct subject to approval by the Executive Board what records shall be preserved by photographic process and what assignment and utilization shall be made of space in the Capitol buildings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1110, entitled:

An Act to amend sections two and three of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by further providing for the filing of reports and for certain deductions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious benevolent, humane, and patriotic purposes," further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1173, on second reading, entitled:

An Act to amend the title of the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest tree seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1174, on second reading, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and other executive and administrative officers, and of the several administra-

tive departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by prescribing certain additional forest powers and duties.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1178, on second reading, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

SENATE BILL No. 690 CALLED FROM POSTPONED CALENDAR

Mr. BARR. Mr. President, I call up for consideration at this time, on page 32 of the Second Reading Postponed Calendar, Senate Bill No. 690.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 690, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendments:

Amend Section 4, page 2, line 19, by inserting after the word "thereto" the following: "Provided, however, that no collection charge shall be due the county out of any payment made under any such court order unless at the time such payment is made all payments due the prosecutrix under such order have been paid in full."

It was agreed to.

The section was agreed to as amended.

The fifth, sixth and seventh sections and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 887 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I call up from the Second Reading Postponed Calendar House Bill No. 887, on page 33, and request that it be read for the second time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 887, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations, conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 888 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I now call up, on page 34 of today's Calendar, Bills on Second Reading Postponed, House Bill No. 888.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 888, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts.

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections were read and agreed to.

The nineteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend sec. 19, page 31, by inserting between lines 14 and 15, the following: "(1) Sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) known as 'The Insurance Department Act of one thousand nine hundred and twenty-one'; Amend sec. 19, page 31, line 19, by striking out the figure '(1)' and inserting in lieu thereof: '(2)'; Amend sec. 19, page 32, line 3, by striking out the figure '(2)' and inserting in lieu thereof: '(3)'".

They were agreed to.

The section was agreed to as amended.

The twentieth section and title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 890 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I now call up from the Second Reading Postponed Calendar, House Bill No. 890, and request that it be read for the second time.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance compensation, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations; authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 895 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I now call up from the Second Reading Postponed Calendar House Bill No. 895.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance companies, certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend sec. 1 (Sec. 626), page 3, line 4, by inserting after the word "broker" the following: "who resides and maintains an office in the Commonwealth".

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 897 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I now call up, on the Second Reading Postponed Calendar House Bill No. 897.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 897, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and interinsurance exchanges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 908 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I now call up from the Second Reading Postponed Calendar House Bill No. 908.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 910 CALLED FROM POSTPONED CALENDAR

Mr. WADE. Mr. President, I now call up from the Second Reading Postponed Calendar House Bill No. 910.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 691 CALLED FROM POSTPONED CALENDAR

Mr. BARR. Mr. President, I call up, on page 32 of the Second Reading Postponed Calendar, Senate Bill No. 691.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 691, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BARR offered the following amendment:

Amend Section 4, page 2, line 17, by inserting after the word "thereto" the following: "Provided, however, that no collection charge shall be due the county out of any payment made under any such court order unless at the time such payment is made all payments due the prosecutrix under such order have been paid in full".

It was agreed to.

The section was agreed to as amended.

The fifth, sixth and seventh sections and the title were read and agreed to.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 546 CALLED UP

Mr. BERGER. Mr. President, on page 16 of today's Calendar, I call up Senate Bill No. 546, for the purpose of offering amendments.

RECONSIDERATION OF SENATE BILL No. 546

Mr. BERGER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 546, passed second reading.

The PRESIDING OFFICER. How did the Senator vote?

Mr. BERGER. Mr. President, I voted with the majority.

Mr. HARE. Mr. President, I second the motion.

The PRESIDING OFFICER. How did the Senator vote?

Mr. HARE. Mr. President, I voted with the majority.

The motion was agreed to.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 546, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages

caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals the record of magistrates and the disposition of certain fines and penalties

The first, second and third sections were read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. BERGER offered the following amendments:

Amend title, page 2, third from last line of title, by inserting after the word "signals" the following: "and";

Amend title, page 2, last two lines to title, by striking out the words "and the disposition of certain fines and penalties".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. BERGER offered the following amendments:

Amend sec. 4 (Sec. 1207), page 9, lines 14 to 19, both inclusive, by striking out all of said lines; Amend sec. 4 (Sec. 1207), page 10, lines 1 to 19, both inclusive, by striking out all of said lines; Amend sec. 4 (Sec. 1207), page 11, lines 1 to 10, both inclusive, by striking out all of said lines.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL INTRODUCED AND REFERRED

Mr. BECKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. BECKER read in place and presented to the Chair Senate Bill No. 787, entitled:

An Act to amend clause (6) of section one thousand two hundred forty-one, of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to setablish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the Superintendent of Public Instruction to increase the reimbursement fraction of a school district receiving pupils from other districts in certain cases.

Which was agreed to the Committee on Education.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled, as amended, "An act relating to dogs, and the protection of livestock, poultry and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention or cruelty to animals, upon petition to and under supervision of the courts of common pleas, and providing for the disposition of unexpended funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 478, entitled:

An Act to add section fifteen point one to the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 818), entitled "An act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employees, and on city councils of cities of the first and second class; and providing penalties," authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by re-

quiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The PRESIDING OFFICER. The Chair calls to the rostrum the President pro tempore, Honorable M. Harvey Taylor.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 18, entitled:

An Act to further amend clause thirty-four and to amend clause forty-one of section two thousand four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," including American Veterans of World War II (AMVETS) among the veterans organizations for which certain appropriations may be made and for which space for meetings may be given.

House Bill No. 19, entitled:

An Act to amend section one of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1184) entitled "An act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day" including the American Veterans of World War II among the veterans' organizations to which certain appropriations may be made

House Bill No. 20, entitled:

An Act to amend section four hundred thirty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," including the American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made.

House Bill No. 23, entitled:

An Act to further amend subsection (a) of section seven hundred twenty-two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," including the American Veterans of World War II (AMVETS) among those organizations exempt from payment of registration fees of vehicles used by such organization.

House Bill No. 24, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," including American Veterans of World War II (AMVETS) among the veterans' organizations for which certain appropriations may be made and making more specific the veterans' which organizations for which money may be appropriated for rental of meeting rooms of such organizations.

House Bill No. 25, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" including American Veterans of World War II (AMVETS) among the veterans organizations entitled to the printing of convention reports

House Bill No. 336, entitled:

An Act to further amend section two hundred three of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by further changing the provisions of the act relating to the titling of commercial motor vehicles.

House Bill No. 428, entitled:

An Act to amend sections two of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation

House Bill No. 445, entitled:

An Act to further amend section one thousand four hundred twelve of the act, approved the eighteenth day of May, one thousand nine hundred eleven, P. L. 309), entitled "Public School Code," requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools.

House Bill No. 461, entitled:

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929" by allowing State airports to be leased for period not to exceed five years.

House Bill No. 465, entitled:

An Act to add section five hundred twenty-six to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," providing for the purchase, maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission, for official use and for the payment of charges therefor into the Motor License Fund; and appropriating the same to the Pennsylvania Aeronautics Commission.

House Bill No. 518, entitled:

An Act to further amend paragraph one of clause (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act.

House Bill No. 533, entitled:

An Act to further amend section two of the act, approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify each other in certain cases," authorizing conveyances of real estate by married woman to her husband, or to her husband and herself jointly without joinder of her husband.

House Bill No. 534, entitled:

An Act to further amend section one of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entirety.

House Bill No. 630, entitled:

An Act to amend section one of the act, approved the third day of June, one thousand nine hundred eleven P. L. 631) entitled "An act authorizing a married women to make conveyances of real estate to her husband, and validating all such conveyances heretofore made," authorizing conveyances of real estate of a married woman to her husband and herself jointly, as if she were a feme sole.

House Bill No. 642, entitled:

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "Public School Code," by providing for the revision of the budget of school districts of the second, third and fourth classes during the fiscal year.

House Bill No. 754, entitled:

An Act to further amend sections three hundred seventeen three hundred eighteen, three hundred nineteen, three hundred twenty, three hundred twenty-one three hundred twenty-two three hundred twenty-three, and three hundred twenty-four, of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the amount of contributions to the employees' retirement fund and the retirement age of new employees; extending the power of the retirement board in investing the money of the retirement fund; decreasing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled; refund of contributions; authorizing counties of the second class and county institution district to make additional appropriations.

House Bill No. 964, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "Pennsylvania National Guard Act," changing the basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

House Bill No. 1008, entitled:

An Act to add article XXX-A to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206) entitled "First Class Township Law," empowering boards of township commissioners to establish land subdivision regulations.

House Bill No. 1066, entitled:

An Act to amend section twenty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," making a husband liable for his wife's per capita, poll and occupation taxes and providing for the collection thereof.

House Bill No. 1109, entitled:

House Bill No. 1109, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," by further providing for the classification, registration and regulation of tractors and the licensing of their operators.

House Bill No. 1232, entitled:

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highway public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

House Bill No. 1286, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, May 22, 1947, at 12:00 o'clock, M. Eastern Standard Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:26 o'clock, p. m., Eastern Standard Time until Thursday, May 22, 1947, at 12:00 o'clock, M., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 21, 1947

The House met at 12:00 noon Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Rev. H. Clayton Bergstresser, pastor of Trinity Evangelical Lutheran Church, Hazleton, guest of Hon. John Mikula, offered the following prayer:

Oh Thou Eternal God, we would pause at the beginning of this session and ask Thy blessing upon the deliberations that are here given and ask Thy wisdom and guidance upon those who are making and helping to make our laws today in this great state of ours.

Bless, Oh Lord, the Governor of this state, the Members of the Legislature, the Executive and Judiciary bodies. Be with the President of the United States, of which we are a part, and grant that our nation may move on to greater things, as we realize that the whole world today

is looking upon us. Give us Thy wisdom and Thy guidance.

We ask it in the name of Christ, Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, May 20, 1947.

The Clerk proceeded to read the Journal of Tuesday, May 20, 1947, when, on motion of Mr. BAUMUNK unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. FOOR for himself for tomorrow's session.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 376.

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from toll collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts.

Referred to the Committee on State Government.

SENATE BILL No. 439.

An Act to amend Sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of powers providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distribution to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and

such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance.

Referred to the Committee on State Government.

SENATE BILL No. 513.

An Act to further amend section one hundred thirty-three clauses (a) and (e) of section eight hundred fourteen sections one thousand four hundred four and one thousand four hundred six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith" further regulating plans to merge and the merger of school districts transportation and routes and contracts pertaining thereto.

Referred to the Committee on Education.

SENATE BILL No. 519.

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" providing for the purchase by the municipality of Pension Annuity Contracts for policemen

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 548.

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing boards of school directors to enter into contracts with the Federal Government or any of its agencies for the education of veterans in the public schools and providing that such persons should not be considered in determining district teaching units as the basis such veterans from the tenure provisions thereof.

Referred to the Committee on Education.

SENATE BILL No. 555.

An Act to add section one thousand two hundred sixty-four to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting

such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" prescribing penalties for knowingly falsifying reports or certificates in connection with reimbursements.

Referred to the Committee on Education.

SENATE BILL No. 574.

An Act to amend section two hundred two of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by requiring the Secretary of Highways to file copies of plans for highway purposes and copies of orders by which abandoned State highways are vacated in the office of the recorder of deeds of the county wherein the same is located and requiring recorders of deeds to maintain books and indices for such purposes

Referred to the Committee on Highways.

SENATE BILL No. 589.

An Act to amend section five hundred twenty-three of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" providing for the sharing of the payment of the damages for changes of width lines or grades of streets which are state highways in certain cities where the parties interested have entered into an agreement for the sharing of such damages.

Referred to the Committee on Highways.

SENATE BILL No. 598.

An Act to further amend section six of the act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highways Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of appli-

cation for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvements providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by changing certain routes.

Referred to the Committee on Highways.

SENATE BILL No. 626.

An Act to amend Section 511 of the act approved the first day of June one thousand nine hundred forty-five (P. L. 1242) entitled "An act relating to roads streets highways and bridges amending revising consolidating and changing the laws administered by the Secretary of Highways and by the Department of Highways relating thereto" by changing the procedure relating to changes made by the Secretary in boroughs.

Referred to the Committee on Highways.

SENATE BILL No. 680.

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

Referred to the Committee on Counties.

SENATE BILL No. 738.

An Act to further amend subsection (c) of section two hundred twelve of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garagekeepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" regulating issuance of a duplicate certificate of title.

Referred to the Committee on Motor Vehicles.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ANDREWS

RESOLUTION No. 54.

In the House of Representatives, May 20, 1947.

Whereas, The current biennium ends on May 31 and it is now possible to compare the Commonwealth's actual cash receipts during the current biennium with budget estimates, and

Whereas, Measures now pending in the General Assembly call for expenditures running into hundreds of millions of dollars, and

Whereas, It is essential in the interests of intelligent legislation that this House be furnished the figures which have been checked and double checked which will show the Commonwealth's actual cash position as of June 1, 1947, therefore be it

Resolved, That this House request the Budget Office, at its earliest convenience, to furnish it with a statement showing:

1—The amounts by which the Commonwealth's receipts from its various revenue producing sources, have exceeded or fallen below budget estimates submitted to this House at the beginning of the 1945 session of the General Assembly.

2—The amounts by which the Commonwealth's receipts from its various revenue producing sources have, during the first five months of the current year, exceeded or fallen below the figures upon which the budget submitted on March 11, 1947 was based in part.

3—The amount of all unexpected balances in all appropriation items which are subject to reappropriation as of June 1, 1947.

4—The amount of unexpected balances and various appropriation items authorized by the General Assembly at its 1945 session which have not as yet been definitely committed for specific expenditures during the 1947-49 biennium.

Referred to Committee on Rules.

PUPILS OF PENN STREET SCHOOL WELCOMED

The SPEAKER. The Chair would like to announce that we are privileged to have present the sixth grade pupils of the Penn Street School, Hanover, York County, under the direction of Aletha Hummell, who are the guests of the gentleman from York, Mr. Wolf.

REPORTS FROM COMMITTEES

Mr. BRUNNER from the Committee on Appropriations, reported as amended, House Bill No. 247, entitled:

An Act making an appropriation to the C. Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre, Philadelphia, Pennsylvania, for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients.

Mr. LOVETT from the Committee on Appropriations, reported as committed, House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton, Northampton County, Pennsylvania damaged by flood waters.

Mr. WATKINS from the Committee on Appropriations, reported as amended, House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Mr. BRUNNER from the Committee on Appropriations, reported as committed, House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situated in Delaware County, Pennsylvania.

Mr. CORDIER from the Committee on Municipal Corporations, reported as committed, House Bill No. 654, entitled:

An Act to permit employes of cities (except of the first and second class), boroughs, towns, and townships to accumulate annual vacation and sick leave in certain cases.

Mr. SERRILL from the Committee on Appropriations, reported as committed, House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children, as well as family groups, industrial workers, and others.

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

Mr. POWERS from the Committee on Cities & County—Second Class, reported as amended, House Bill No. 700, entitled:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; fixing the interests of all taxing authorities where such lands are purchased by the city; providing for the distribution of moneys received as income from or resale of such lands; and providing for a method of reselling such lands purchased by the city, or by the city and school district within said city at any sale for the nonpayment of taxes, free and clear of all mortgages, ground rents, interest in or claims against said lands.

Mr. O'DARE from the Committee on Appropriations, reported as committed, House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Mr. BRUNNER from the Committee on Appropriations, reported as amended, House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloisters an important historical shrine belonging to the Commonwealth.

Mr. LAUGHNER from the Committee on Appropriations, reported as amended, House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania known as "Old Economy."

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police, to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney, Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation.

Mr. WATKINS from the Committee on Appropriations, reported as amended, House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George, Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads, paths and parking areas on the Daniel Boone Homestead property.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

Mr. LAYER from the Committee on Municipal Corporations, reported as committed, House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate; declaring such taxing authority trustee for other taxing authorities, and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

Mr. RAY L. RILEY from the Committee on Appropriations, reported as committed, House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

Mr. GOODLING from the Committee on Appropriations, reported as amended, House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Mr. O'DARE from the Committee on Appropriations, reported as amended, House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Mr. O'DARE from the Committee on Appropriations, reported as committed, House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Mr. ROBERTSON from the Committee on Appropriations, reported as amended, House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Mr. WATKINS from the Committee on Appropriations, reported as committed, House Bill No. 1250, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania, at Philadelphia.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the banking Department Fund.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board, to meet obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board, to meet obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board, to meet obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Mr. LEISEY from the Committee on Appropriations, reported as committed, House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Mr. YESTER from the Committee on Appropriations, reported as committed, House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies, for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Mr. SERRILL from the Committee on Appropriations, reported as committed, House Bill No. 1260, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund, and service requirements on the State debt.

Mr. RILEY from the Committee on Appropriations, reported as committed, House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled: "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania; authorizing the storage of such records in available buildings or the construction of a new building to accommodate them, if necessary; and making an appropriation therefor."

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, House Bill No. 1262, entitled:

An Act making appropriations to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Mr. BRUNNER from the Committee on Appropriations, reported as committed, House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Mr. RAY L. RILEY from the Committee on Appropriations reported as committed, House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Mr. SERRILL from the Committee on Appropriations, reported as committed, House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public roads, and improving and replacing bridges thereon, through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. GOODLING from the Committee on Appropriations, reported as committed, House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

Mr. BRUNNER from the Committee on Appropriations, reported as committed, House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills Schools, situate in Delaware County, Pennsylvania.

Mr. LAUGHNER from the Committee on Appropriations, reported as amended, House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

Mr. LEISEY from the Committee on Appropriations, reported as amended, House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Mr. WACHHAUS from the Committee on Appropriations, reported as committed, House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts.

Mr. ROBERTSON from the Committee on Appropriations, reported as committed, House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry, to meet the obligation of the Commonwealth, to pay a part of the compensation payable for certain occupational diseases.

Mr. RILEY from the Committee on Appropriations, reported as committed, House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Mr. RILEY from the Committee on Appropriations, reported as committed, House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled: "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire, by condemnation or purchase, land or land and buildings within the City Philadelphia, and within the City of Pittsburgh, or the County of Allegheny; and to construct, alter, improve and equip such property for use of the Commonwealth; providing for the maintenance thereof; and making an appropriation."

Mr. YESTER from the Committee on Appropriations, reported as committed, House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Mr. O'DARE from the Committee on Appropriations, reported as committed, House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

Mr. SERRILL from the Committee on Appropriations, reported as amended, House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education.

Mr. GORMAN from the Committee on Judiciary, reported as committed, House Bill No. 1287, entitled:

An Act to provide for the change of objects of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments, and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations.

Mr. BEECH from the Committee on Cities and County—Second Class, reported as committed, House Bill No. 1301, entitled:

An Act to amend sections three and four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," providing that vacancies on the board of managers shall be filled and persons employed with respect to such halls shall be veterans who were residents of the Commonwealth at time of enlistment or induction.

Mr. STIMMEL from the Committee on Fisheries, reported as amended, House Bill No. 1309, entitled:

An Act concerning fish, frogs, terrapin, animals of aquatic habits, amphibian and other aquatic life, in the waters of this Commonwealth; establishing ownership, jurisdiction and control over the same; enacting, amending, revising, consolidation, and changing the fish laws; fixing penalties, providing for enforcing the laws, granting powers and authority to the Board of Fish Commissioners; enlarging and conferring jurisdiction of magistrates, justices of the peace, aldermen, and courts; providing for establishment, maintenance of a fish fund, and the uses thereof; providing for the taking, transportation, protection, production, and distribution of fish, and aquatic life; providing for acquisition and improvements of lands and waters for the production of fish, establishing public fishing areas, and repealing certain laws.

Mr. O'DARE from the Committee on Appropriations, reported as committed, House Bill No. 1336, entitled:

An act making an appropriations to the Berean Manual Training School, at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

Mr. GOODLING from the Committee on Agriculture and Dairy Industries, reported as committed, House Bill No. 1338, entitled:

An act making an appropriation to the Department of Health for the purpose of providing vaccine for certain

persons assumed to be in danger of hydrophobia or rabies, except in cities where dog license fees are paid into the city treasury.

Mr. MIKULA from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 310, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs, towns and townships of the second class; and fixing the time when such tax collectors shall file their bonds.

Mr. CORDIER from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen

Mr. BAUMUNK from the Committee on Agriculture and Dairy Industries, reported as committed, Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

Mr. PROPERT from the Committee on Public Utilities, reported as committed, Senate Bill No. 639, entitled:

A Further supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the assessment of damages arising from such appropriation and the method of appropriation.

Mr. MILLS from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 505, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allow-

ances to officers and employes of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

Mr. YESTER from the Committee on Appropriations, re-reported as amended, House Bill No. 22, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a revised compilation of laws relating to soldiers sailors and marines their dependents and war veteran organizations and making an appropriation

Mr. GOODLING from the Committee on Appropriations, re-reported as committed, House Bill No. 168, entitled:

An act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation.

Mr. PICKENS from the Committee on Military Affairs, re-reported as committed, House Bill No. 335, entitled:

An act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-seven (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," prohibiting the imposition of taxes on such licenses.

Mr. TURNER from the Committee on Appropriations, re-reported as amended, House Bill No. 472, entitled:

An act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing in State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employes of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor.

Mr. SERRILL from the Committee on Appropriations, re-reported as committed, House Bill No. 769, entitled:

An Act making an appropriation out of the motor License Fund to the Department of Public Instruction to promote highway safety education.

Mr. BRUNNER from the Committee on Appropriations, re-reported as committed, House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

Mr. GOODLING from the Committee on Appropriations, re-reported as committed, House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 445.

An Act to further amend section one hundred four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that the or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools.

HOUSE BILL No. 518.

An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales mortgages of real estate for the payment thereof and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of

dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audits and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act.

HOUSE BILL No. 533.

An Act to further amend section two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" authorizing conveyances of real estate by married woman to her husband or to her husband and herself jointly without joinder of her husband.

HOUSE BILL No. 534.

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entirety and validating certain transactions.

HOUSE BILL No. 630.

An Act to amend section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled "An act authorizing a married woman to make conveyance of real estate to her husband and validating all such conveyances heretofore made" authorizing conveyances of real estate of a married woman to her husband and herself jointly as if she were a feme sole.

HOUSE BILL No. 1066.

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof.

HOUSE BILL No. 1286.

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

With the information that the Senate has passed the same without amendment.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 56, 100, 204, 217, 233, 470, 569, 581, 633, 684, 696, and 727.

QUESTION OF PERSONAL PRIVILEGE

Mr. CHUDOFF. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. CHUDOFF. Mr. Speaker, on April 15, 1947, while the House was considering House Bill No. 1215, a Joint Resolution ratifying a proposed amendment to the Constitution of the United States relative to the President of the United States, I am listed in the Journal as not voting. I was present on that day and voted "no."

The SPEAKER. The Chair requests the gentleman from Forest, Mr. Serrill, to preside during the first reading calendar.

MR. SERRILL IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER pro tempore. House Bill No. 1216, Printer's No. 654 and Senate Bill No. 218, Printer's No. 352, bills on first reading, are not in print and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections inculding general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers

and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 337, entitled:

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled, as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents", by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and

prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods and boards of school directors; and imposing penalties," clarifying the provisions relating to the time for giving change of party enrollment notice.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter)
IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Forest, Mr. Serrill, for presiding.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War II temporary emergency housing accommodations empowering them to acquire by purchase gift or eminent domain certain dwellings and other structures providing for their organization and the exercise of their powers and duties including the borrowing of money issuing bonds and other obligations the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing

The first to eleventh sections inclusive were read and agreed to.

The twelfth section was read.

On the question,

Will the House agree to the section?

Messrs. UPSHUR and C. M. SMITH offered the following amendment:

Amend sec. 12, page 11, line 7, by inserting after the word "prescribe" "In renting any such real property it shall be unlawful to make any discrimination whatsoever on account of race, creed or color."

It was agreed to.

The section was agreed to as amended.

The thirteenth to twenty-second sections inclusive and title were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading as amended?

Mr. ANDREWS. Mr. Speaker, I desire simply to call the attention of the sponsors of this bill to section 21, and suggest to them that under this section it would be practically impossible to float an issue of bonds, and that if this bill is offered in good faith some changes should be made in that section. If the bill is simply a gesture, not destined to get anywhere and not offered with the idea that it will go across, no correction would need be made, but I again suggest for their consideration that an enterprise that must be compulsorily liquidated at the end of a certain period, and perhaps liquidated in a down

market, would not be a project upon which you could sell bonds.

Under Section 21, when the Governor decides that there is no longer housing emergency, you liquidate the project started under this act, as I read it. It is a temporary housing bill. If permanent houses were built you would issue bonds, but I do not see how under the terms of this act you could float a dollars worth of bonds.

Mr. FISH. Mr. Speaker, it is the thought and the intention of this bill to provide temporary housing for veterans. I agree with the gentleman from Cambria with reference to bonds to be sold, in such a period of time, with the expiration date depending on when the Governor would declare the emergency over. What we are particularly interested in is to find more temporary housing, such as, we might say barracks, and things like, that could be converted, and it might not be necessary to go into the sale of bonds.

On the question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

The first section was read.

On the question,

Will the House agree to the section?

Mr. SORG offered the following amendment:

Amend Sec. 1, page 2, line 8, by inserting after the word "law" the following: Provided, That before any such payments are made, the Secretary of Revenue, with the approval of the Auditor General, shall determine and adjust all inequalities in payments heretofore made, resulting from charging to and withholding from any payment made to any city, township or borough, of any deficits for any preceding year or years, where the amount so withheld had not actually been received by the city, township or borough during such preceding year. All amounts so determined shall first be paid to the cities, townships and borough found to be entitled thereto, and the balance of said undistributed surplus only shall be paid as hereinbefore provided.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 889, entitled:

An Act to add section one thousand three hundred one point two to the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending and consolidating the law relating to boroughs," providing for amusement tax for general revenue purposes and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN. Mr. Speaker, I regret that my microphone does not work and I cannot get the speaker's attention. I should like to interrogate the Majority Floor Leader, a very good lawyer on House Bill No. 889, Printer's No. 428.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall Mr. Speaker.

Mr. BROWN. Mr. Speaker, I am unable to understand this bill. On line 12, page 2, the line reads as follows: "The tax may be imposed on the place or on the person or persons operating, furnishing, aiding or allowing any of the facilities, services or conveniences therefor....."

My understanding, Mr. Speaker, would be that if I am a repairman and I have in my possession one of the machines repairing it, I could be taxed. I want to know if I am correct in that determination, whether I could be construed to be subject to the tax under this bill as it is now drawn?

Mr. SORG. Mr. Speaker, I think the gentleman is correct. I would like to add also that I think that is bad.

Mr. BROWN. Mr. Speaker, I would like to ask the gentleman another question. On page 2, line 19, the lines read as follows: "The ordinance relating to the taxes herein authorized may provide or be changed so as to include any combination of the foregoing methods of taxing in order effect the purpose of this act."

Mr. Speaker, as I understand that language, this bill could tax the owner, could tax the person claiming the machine, could tax the person entering the place, could tax the mechanic who was repairing the machine. Am I right in that interpretation?

Mr. SORG. Mr. Speaker, the gentleman is right in that interpretation.

Mr. BROWN. Mr. Speaker I yield to the gentleman from Elk, Mr. SORG.

Mr. SORG. Mr. Speaker, apparently neither one of us likes this bill.

BILL RECOMMITTED

Mr. LOVETT. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act to further amend section six hundred three and amend section six hundred twenty-two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," further regulating the licensing of insurance agents and brokers.

The first section was read,

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, may I have the privilege of interrogating the sponsor of House Bill 980 in order to clarify in my own mind when I take up this subject?

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. STIMMEL. I shall, Mr. Speaker.

Mr. ANDREWS. Under the terms of this act, Mr. Speaker, would religious groups such as Diocesan groups which now write their own insurance, be prohibited from doing so?

Mr. STIMMEL. They would not, Mr. Speaker, as this bill applies only to vendors of personal property and does not affect real property.

BILLS PASSED OVER

There being no objection,

House Bill No. 980, Printer's No. 576, was passed over at the request of Mr. STIMMEL.

There being no objection,

Senate Bill No. 241, Printer's No. 76, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 246, entitled:

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employees under any stock bonus pension disability or death benefit profit-sharing or other employee-benefit plan and the application with respect thereto of any statute or rule of law against perpetuities accumulations or the suspension of the power of alienation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 314, Printer's No. 93.

Senate Bill No. 316, Printer's No. 94 and

Senate Bill No. 492, Printer's No. 185

were passed over at the request of the SPEAKER.

HOUSE BILLS 195, 826, 952, 1001, 1076 AND SENATE BILL 78 MADE SPECIAL ORDER

Mr. SORG. Mr. Speaker, I move that House Bill No. 195, Printer's No. 584 on page 10; House Bill No. 826, Printer's No. 587 on page 11; House Bill No. 952, Printer's No. 620 on page 12; House Bill No. 1001, Printer's No. 641 on page 13; House Bill No. 1076, Printer's No. 588 on page 14 and Senate Bill No. 78, Printer's No. 338 on page 15 of today's calendar, bills on third reading, be made a special order of business on third reading and final passage in their order immediately.

The motion was agreed to.

BILLS ON FINAL PASSAGE

SPECIAL ORDERS

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 195, as follows:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions (a) The term "employee" as used in this act shall mean any person employed for hire in any lawful business industry trade or profession or in any other lawful enterprise

(b) "Employer" includes any person natural or artificial acting directly or indirectly in the interest of any employer in relations with an employee

(c) "Employ" shall mean to engage suffer or permit to work

(d) "Occupation" shall mean any industry trade business profession or any other employment

(e) "Comparable work" shall mean work of comparable character or work on comparable operations

(f) "Secretary" shall mean Secretary shall mean Secretary of Labor and Industry

Section 2 Wage Rates No employer shall discriminate in any way in the payment of wages or salaries in any occupation as between the sexes or pay any female in his employ in any occupation salary or wage rates less than the rates paid to male employees for comparable work

Section 3 Powers of Secretary (a) The secretary shall have the power and it shall be his duty to carry out and administer the provisions of this act

(b) For this purpose the secretary or his authorized representative shall have the power to enter the establishment of any employer to inspect and copy payrolls and other employment records to compare character of work and operations on which persons employed by him are engaged to question such persons and to obtain such other information as is reasonably necessary to the administration and enforcement of this act

(c) The secretary shall have the power to issue such administrative regulations consistent with the purpose and provisions of this act as he deems necessary for the efficient administration thereof

Section 4 Collection of Unpaid Wages (a) An employer who violates the provisions of section two of this act shall be liable to the employee or employees affected in the amount of their unpaid wages Action to recover such wages may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of herself or themselves and other employees similarly situated Any agreement between the employer and an employee to work for less than the wage to which such employee is entitled under this act shall be no defense to such action The court in such action shall in addition to any wages and damages allow a reasonable attorney's fee and costs of the action to the plaintiff At the request of any employee paid less than the wage to which she is entitled under this act the Secretary of Labor and Industry may take an assignment of such wage claim for collection and shall bring any legal action necessary to collect such claim The secretary shall not be required to pay the filing fee or other costs in connection with such action The secretary shall have power to join various claimants against the employer in one cause of action

(b) Any action pursuant to the provisions of this act must be brought within three years from the date upon which the violation complained of occurs

Section 5 Records and Reporting Every employer subject to this act shall make keep and maintain such records of the wages and wage rates job classifications and other terms and conditions of employment of the persons employed by him and shall preserve such records for a period of four years and shall make such reports therefrom as the secretary shall prescribe

Section 6 Abstracts The Department of Labor and Industry shall prepare an abstract of the provisions of this

act copies of the abstract shall be printed in accordance with the laws of the Commonwealth regulating printing and publishing and the Department of Labor and Industry shall supply the same to all persons required to post them Employers subject to the provisions of this act shall be required to keep such abstract posted in a conspicuous place

Section 7 Penalties (a) Any employer who violates any provisions of this act or who discharges or in any other manner discriminates against any employee because such employee has made any complaint to her employer the secretary or any other person or instituted or caused to be instituted any proceeding under or related to this act or has testified or is about to testify in any such proceedings shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) or to undergo imprisonment for not less than thirty (30) days nor more than sixty (60) days or by both such fine and imprisonment Each day such a violation continues shall constitute a separate offense

(b) Any employer who fails to keep the records required under this act or to furnish such records to the secretary upon request or who falsifies such records or who hinders delays or otherwise interferes with the secretary or his authorized representatives in the performance of his duties in the enforcement of this act or refuses such official entry into any establishment which he is authorized by this act to inspect shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) Each day such a violation continues shall constitute a separate offense

Section 8 Effective Date This act shall become effective six months after the date of its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, in view of the fact that the sponsor of this particular bill has been sensitive lest its features be marred by bewildering voices or blundering hands from this side of the House, there has risen some misapprehension among the Members of the minority group regarding the merits of this bill.

I think it is fitting that some consideration be given to the historic background of this measure. The question of equal rights for women and equal pay for women has been kicking around for quite a good many years. Bills embodying those principles were formulated by various labor groups, the CIO and AF of L. At the 1945 Session of the General Assembly equal pay for equal work was embodied in House Bill 356, sponsored by Messrs. Leonard and Baker. The same principle was embodied in House Bill 836, sponsored by Messrs. Moran and Brice, and the same principles, almost the identical bill as the bill now before us, was embodied in Senate Bill 512 sponsored by Senator Holland. A House bill which embodied the features, not all of the features, but almost all of the features, contained in the bill sponsored by the lady from Mercer, was pending in a House Committee in the 1945 Session, and on a vote to discharge the committee from consideration of that bill, the vote was 90 to discharge and 104 not to discharge.

Mr. Speaker, I greatly regret that at that time the lady from Mercer did not come to our rescue with flying banners because I am quite certain had she done so the

measure to which she is now so devoted, would have appeared upon the House calendar and it would now have been effective. I congratulate her and the Members of the House upon the fact that the cornerstone which they rejected in the 1945 Session has now become one of the main pillars of the building, and I assure the lady that even though she was unable to assist us in the 1945 session, if she needs a few votes, which she does not, we will gladly supply them. I do want to say, Mr. Speaker, that I probably know as much about this measure as she does, because in a very essential sense we helped to "born" it.

Mrs. DYE. Mr. Speaker, I wish to thank the gentleman from Cambria for his kind remarks and his cooperation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McGullough,	Scott,
Barrett,	Gibson,	McDonald,	Serrill,
Baumunk,	Goff,	McKinney,	Shoemaker,
Beech,	Goodling,	McMillen,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boies,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stonier,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stuart,
Buchlin,	Henry,	Needham,	Swope,
Cadwalader,	Hewitt,	Najaka,	Tahl,
Capano,	Hocker,	Naumann,	Tittle,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dairymple,	Kent,	Powers,	Walton,
Davidson,	Kirley,	Propert,	Waterhouse,
De Long,	Kline,	Price,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Relly, J. M.,	Wheeler,
Elder,	Lee,	Relly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarrafi,	

NAYS—0

NOT VOTING—3

Mihm, Schuster, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 826, as follows:

An Act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before Civil Service and Tenure Authorities and in certain cases before the Pennsylvania Labor Relations Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act

(a) The term "public employe" includes all persons holding a position by appointment or employment in the government of the Commonwealth of Pennsylvania or under any of its agencies boards commissions or other branches or in the government of any political subdivision of the Commonwealth or any authority or in the public school system

(b) The word "strike" means the failure to report for duty the wilful absence from one's position the stoppage of work or the abstinence in whole or in part from the full faithful and proper performance of the duties of employment for the purpose of inducing influencing or coercing a change in the conditions or compensation or the rights privileges or obligations of employment Provided however That nothing contained in this act shall be construed to limit impair or affect the right of any public employe to the expression or communication of a view grievance complaint or opinion on any matter related to the conditions or compensation of public employment or the betterment thereof so long as the same is not designed to stand does not interfere with the full faithful and proper performance of the duties of employment nor to limit impair or affect the right of any such employe to attend meetings conferences or hearing relating to such matters so long as such attendance is not designed to interfere with the full faithful and proper performance of the duties of employment

Section 2 No public employe shall strike and no person exercising any authority supervision or direction over any public employe shall have the power to authorize approve or consent to a strike by one or more public employes

Section 3 Notwithstanding any other provision of law any public employe who violates the provisions of this act shall thereby abandon and terminate his appointment or employment and shall no longer hold such job or position, or be entitled to any of the rights or emoluments thereof except if appointed reappointed employed or re-employed as hereinafter provided

Section 4 Notwithstanding any other revision of law a person violating the provisions of this act may subsequent to such violation be appointed or reappointed employed or re-employed as a public employe but only upon the following conditions

(a) His compensation shall in no event exceed that received by him immediately prior to the time of such violation

(b) The compensation of such person shall not be increased until after the expiration of three years from such appointment or reappointment employment or re-employment and

(c) Such person shall be on probation for a period of five years following such appointment or reappointment employment or re-employment during which period he shall serve without tenure and at the pleasure of the appointing officer or body

Section 5 Notwithstanding the provisions of any other law any person holding such a position who without the lawful approval of his superior fails to report for duty or otherwise absents himself from his position or abstains in whole or in part from the full faithful and proper per-

formance of his position shall be deemed on strike. Provided That such person upon request shall be entitled to establish that he did not violate the provisions of this act. Such request must be filed in writing within ten days after regular compensation of such employe has ceased in the case of a public employe who is entitled by law to a hearing upon dismissal or removal such written request shall be filed with the officer or body having power to remove such employe and such officer or body shall within ten days conduct a hearing to determine whether the provisions of this act have been violated by such public employe in the manner provided by law appropriate to a proceeding to dismiss or remove such public employe in the case of a public employe who is not entitled by law to a hearing upon dismissal or removal the request for a hearing shall be filed with the Pennsylvania Labor Relations Board which shall within ten days conduct a hearing to determine whether the provisions of this act have been violated by such public employe in the manner provided for hearings before the board by the Pennsylvania Labor Relations Act all such proceedings shall be undertaken without unnecessary delay

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BANE. Mr. Speaker, I should like to briefly discuss with you this particular measure and express a few of my views, concerning the ultimate effect of this particular measure.

This is an act designed to prevent strikes among public employes. There is nothing in it that says anything about teachers except on page 4, where it says that if they have committed the crime of perpetrating a strike they shall thereafter serve without tenure.

This bill so far as I can see, presents a problem designed to prevent strikes among public employes. The way I analyze its effect is that we find—and I say this with a certain measure of restraint—that to my knowledge there have been very few, if any strikes, among the employes of the Commonwealth of Pennsylvania. I know very few strikes, if any, which have been perpetrated by the employes of any municipality. The fireman and the policemen to my knowledge have perpetrated no such strikes. Therefore we must reach very definitely the conclusion that the purpose and the intent of House Bill No. 826, is that it is designed to build a fence around the teachers.

There are several things about this particular bill that I do not like. In the first place it says "any strike" and that means a group striking but it goes on further and brings in the question of strike by an individual. That proposition to me is rather absurd and ridiculous at the out-set, but that is the effect of this particular act. If any individual, particularly a teacher, raises any issue concerning the question of salaries, under the provisions of this act he or she might be deemed to be on strike and will be dismissed and then we find that certain measures in that particular act become effective, I have read in the paper or I have heard it discussed in the House that none of these labor bills which will pass this particular session shall be punitive in their effect. I say that House Bill 826 is not only punitive in its effect but it is vindictive. The reasons for that are the penalties imposed upon any particular individuals, who have been found guilty by the board of the municipality or the Commonwealth or pleading guilty of being on strike. The question of what pun-

ishment shall be imposed upon those individuals if they have been on strike or have performed this particular act, it says that he shall first be dismissed and immediately after his dismissal, and he has been properly punished by no pay, immediately after if he comes and crawls back and wants to be re-employed—here is where you perpetrate an injustice, he finds that he gets no increase in salary even though the current salary is greater than that which he received before his dismissal from employment because of having been found guilty of being on strike for which he was dismissed.

It goes further than that. It says that for two years after his re-employment he shall not receive any increase in salary.

Then we come to the third provision, that he shall thereafter be on probation for a period of five years. If a teacher has been found guilty of the crime of having perpetrated a strike, that teacher for five years is on probation without the benefit of tenure and possibly without the benefit of any increase in salary or any of the other privileges now guaranteed by our existing laws. The things that a particular individual can perform if found guilty under the provisions of this act are so numerous that it is almost impossible for me to enumerate them.

Mr. Speaker, let us take the situation where you have the principal of a school who is arrogant in his attitude towards the teachers and imposes unjust penalties upon the teachers. Under the provisions of this bill those teachers are without recourse in any manner whatever. If they talk back to him in the heat of anger and they say, "I quit," if in the heat of anger they object to the impositions which he has imposed on them, under this bill he can very properly refer the matter to the board and the teacher might find himself or herself out of a job.

Then we come to the situation where the teacher has no right of appeal. The act says that she may within ten days file and appeal or file a petition for a hearing before the same body that has decided the fact that she was guilty of a particular crime. Under our form of government, our ideas of justice certainly are not based upon the proposition of forcing an individual back before the same party that has found him guilty of a particular offense, to have them determine whether or not the teacher was guilty of that particular offense at the time of the hearing on the petition.

Mr. Speaker, we have the situation here of a strike by one employee. As I said before, that situation seems to me to be an absurdity and ridiculous in its nature. Employees who have devoted—we've heard many discussions on the floor of this House otherwise—that every individual has a duty to devote a certain portion of his time to public service, but let us assume that the individual has devoted a certain portion of his time to public service. He becomes an employee and he devotes his life to it, and if the provisions of this act go into effect, you are going to chain these employees to their desks or to their jobs, just as literally as any galley slave was bound to the ship on which he was working.

For these reasons, Mr. Speaker, I submit to you that House Bill 826 is not only a punitive measure but vindictive in nature and that we ought not to pass it.

Mr. SORG. Mr. Speaker, the question on my mind is whether House Bill 826 could even be called a labor measure. I should like to read just a few excerpts from

the New York Times at the time a similar measure was before the Legislature of that state for consideration:

"Some people opposed this public strike law because by some process of reasoning they thought it was an opening wedge to injure the freedom of the members of unions generally to strike. Nothing could be more mistaken.

"There is no parallel whatsoever between the rights of employees in private industry and those who work for government. The very right of private employees to strike depends upon the protection of government. The right to work depends on the protection of government. Every freedom we cherish, every liberty we enjoy in this nation, exists solely because it is guaranteed by the Constitution and protected day and night by government which functions without interruption. The paralysis of any portion of government could quickly lead to the paralysis of all government and then of all society. That is anarchy and in anarchy liberty is futile and a useless thing."

Mr. Speaker, this bill is not punitive, it is not repressive. It is in the interest of the public because all that stands between order and disorder is the continuance of that basic freedom by those who have the responsibility to keep order.

Mr. ANDREWS. Mr. Speaker, very briefly I desire to call the attention of the House to the fact that under this bill, under existing legislation and under existing court action there is no practical way by means of which municipal workers, and I mean street workers, men on the street, and other manual employees may form bargaining units. There is no machinery now in existence by means of which the proper grievances of public employees can be resolved.

Under the existing set-up, as I understand, all public employees must secure recognition as individuals. At least that is the ruling in various third class cities, that the council cannot recognize a union of the municipal employees. The Majority Leader does not say, and the bill fails in recognizing the differences between essential public employees and public employees who are just a convenience. It is a wholly fallacious notion that everybody on the pay roll is essential to the maintenance of government. Good gracious, twenty-five per cent of the people on the pay roll of Pennsylvania could be dispensed with over night and they would never be missed.

There are thousands of municipal employes, craftsmen, plumbers, electricians, road workers, all of that kind of people who have no means of redress and no machinery to which they can appeal under this act or under existing legislation. So the gentleman from Fayette is entirely right, in order to strike at the teachers, they strike at every other employee group employed by the county, by the municipality, and by the Commonwealth. It is a very bad measure.

Mr. SORG. Mr. Speaker, the gentlemen approaches the matter upon an entirely different theory than I do. When an employee is put on the public pay-roll there should be a good reason why he is put there. He should perform some essential function for the public welfare or he has no right to be there.

Mr. Speaker, I think it is unfair to say that this bill is directed solely against the teachers. We think it is essential that firemen, policemen or hospital attendants, that many who perform functions, whether they be for institutions or districts, those who take away garbage in

the municipalities, those who keep the streets clean, yes, they are performing essential functions in the interest of the public health and we think there should be no discrimination among public employees as to the degree of essentiality.

Mr. BANE. Mr. Speaker, I do not desire to prolong this debate. Mr. Sorg said this is not a labor measure. I do not agree with him. We have a situation here where we have public employees who at the present time have no means of mediation of their particular problems or dissatisfactions they may have in their employment resulting in a demand for increased pay, or any of the other problems concerning them. This bill has absolutely no means or provisions contained in it whereby any dissenting teacher, or any group of dissenting teachers or any other dissenting groups might object or raise any question on the problems which they have before them, without subjecting themselves to the possibility of being found guilty as an individual of perpetrating a strike.

Mr. Speaker, I say this measure is vindictive not merely punitive. I submit to you Members that any act which imposes on an employee the punishment provided by this particular bill, if you do not call it vindictive, then I will withdraw my whole position on this bill. Any bill that says that a man who is re-employed, who perhaps in the heat of anger said "I quit," and goes back and finds himself in the position where he has no rights, that he cannot possibly get during three years any earnings in excess of what he had previously earned, and under the provisions of this act he shall be on probation for a period of five years, certainly without tenure and at the pleasure of the appointing power, if that is not vindictive, I submit to you that I have never read a bill in this House or any where else which is vindictive. I do not know of any measure which is as stringent in its penalties as this particular act.

Mr. SORG. I feel, Mr. Speaker, that the very complaint which the gentleman makes is in extenuation of the measure. When the man says "I quit," what need is there to provide a procedure for him to come back? There isn't any thing vindictive about it. I should like to state, as stated in the New York Times on this decision between employees in the one sense of the word and public employees on the other hand.

"Now, it has always been clear, and now it is clearer, that none of us who enters the public service—and we all do it voluntarily of our own free will—has any right to interrupt the public service. Our government is not an end in itself. It exists to serve all the people. It belongs to all of us. We cannot strike against ourselves."

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Dix.

The SPEAKER. Will the gentleman from Wayne permit himself to be interrogated?

Mr. DIX. Mr. Speaker, I yield to the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, does the gentleman have any idea of the amount of people that this bill affects in the State of Pennsylvania, the number?

Mr. SORG. No, Mr. Speaker, I don't know what that figure would be.

Mr. LOVETT. Mr. Speaker, would the gentleman enlighten this House on how many of the States in these United States of ours have such a measure as this?

Mr. SORG. Mr. Speaker, I haven't that figure.

Mr. LOVETT. Mr. Speaker, will the gentleman say that this particular bill is identical with the bill in New York that the gentleman quoted in the newspaper?

Mr. SORG. I would say it is similar, exactly the same thing in principal, Mr. Speaker.

Mr. LOVETT. That will be all.

Mr. Speaker, in the debate yesterday the gentleman from Elk Mr. Sorg asked me in regard to the right of people striking in the different states. I would say that after we passed this bill in Pennsylvania I will be able to say honestly that a very large percentage of the population of Pennsylvania will be prohibited from striking.

I am not only interested in the school teachers. Mr. Andrews told you there are numerous men who are working in the State of Pennsylvania, in government, who, as he stated, are not so essential that they should not have the right to strike, and I certainly oppose any measure that refuses the masses, the people of Pennsylvania, the right of their own protection, and I ask you to vote down this measure.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Elk, Mr. Sorg.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, the term "public employe" as defined under this act, among other things says "employes and persons holding positions under any authority." It is my understanding that particularly the largest authority that we have in the State of Pennsylvania would be the Federal Housing Authority created pursuant to an act of the General Assembly. I would like to ask the gentleman whether in his opinion employes of those housing authorities would come within the jurisdiction of this act.

Mr. Sorg. In my opinion, Mr. Speaker, they would.

Mr. BROWN. Mr. Speaker, does the gentleman know that in 1937 the Attorney General of this Commonwealth ruled that the directors of these authorities were quasi federal officials, and by the State rulings they would be quasi federal employes. Does the gentleman feel that this act will embrace quasi federal employes if they were so determined in accordance with the ruling of the Attorney General?

Mr. SORG. Mr. Speaker, I do not think that this act would apply to any federal authority.

Mr. BROWN. Mr. Speaker, would the gentleman feel that this act will apply to those employes and to quasi federal employes, those employes who are working on projects that were subsidized in whole or in part from federal funds?

Mr. SORG. Mr. Speaker, if they were subsidized in part by state funds, I feel that they would come under this provision.

Mr. BROWN. May I ask the gentleman another question? Under the provisions of this act a teacher who would be reinstated would serve without tenure which is the

only penalty placed, with the exception that the teacher would not secure any increments for the period of five years, is that a correct interpretation?

Mr. SORG. That is correct, Mr. Speaker.

Mr. BROWN. Mr. Speaker, does the gentleman feel that it would be constitutionally accurate for this General Assembly to pass such a law that would allow a teacher to teach the same subject, the same number of pupils, under the same conditions and be payed a salary different from the salary paid to the regular teacher or in some cases the substitute teacher? Does he feel that such a law would be constitutional?

Mr. SORG. I do, Mr. Speaker, just as I feel that a law is constitutional for one school district to pay salaries different from another.

Mr. BROWN. Mr. Speaker, I am speaking about the teacher in the same school district. I am quite familiar with the fact that different districts, because of classification of the district, have different classifications, but can we classify teachers in the same schools in the same district teaching the same subject matter under the same conditions. That is the question.

Mr. SORG. Mr. Speaker, I think we have many cases in the state of Pennsylvania in the same school district where a teacher who serves two years more will receive somewhat more, although he or she might be teaching the same subject to the same number of pupils, etc.

Mr. BROWN. Mr. Speaker, is the gentleman familiar with the famous Melvin case which was before the Supreme Court for a period of three and one-half years?

Mr. SORG. Mr. Speaker, if the gentleman will state the subject matter of the case I should be glad to answer his question.

Mr. BROWN. Briefly the subject matter concerned a teacher who was moved to a certain school district in the city of Pittsburgh, he taught certain subjects and was not given the pay which was given the other teachers in that same school teaching the same subject matter and the same number of pupils.

Mr. SORG. What was the result of the case, Mr. Speaker?

Mr. BROWN. The result of the case was that the Superior Court upheld the teacher, which was affirmed by the Supreme Court and on reargument the Supreme Court reversed its decision, not on the question of equality of pay but on another question which was involved.

Mr. SORG. I don't know the answer, Mr. Speaker.

Mr. BROWN. Probably the gentleman doesn't know, Mr. Speaker?

Mr. SORG. No, I do not, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Chudoff, Petrosky and Bucchin.

The roll was verified and was as follows:

YEAS—124

Aaronson,	Gallagher,	Lelsey,	Rose,
Baumunk,	Gibson,	Loftus,	Rowen,
Beech,	Goodling,	Madigan,	Royer,
Bonawitz,	Gorman,	McCosker,	Sax,
Boorse,	Graybill,	McCullough,	Serrill,
Bower,	Greer,	McDonald,	Smith, C. C.,

Brelsch,	Griffiths,	McKinney,	Smith, C. M.,
Brice,	Guthrie,	McMillen,	Sollenberger,
Brunner,	Gyger,	Mintess,	Sorg,
Cadwalader,	Hall,	Mohr,	Sproul,
Clevenger,	Haller,	Moore, C. E.,	Stimmel,
Cook,	Helm,	Moore, H. A.,	Stockham,
Cooper,	Henry,	Murray,	Stonier,
Cordier,	Hewitt,	Myers,	Stuart,
Costa,	Hocker,	Neff,	Tittle,
Dague,	Hoffman,	Nelson,	Tompkins,
Davison,	Hoopes,	O'Dare,	Toomey,
De Long,	Imbt,	O'Donnell,	Turner,
Dennison,	Jennings,	Orban,	Upshur,
Depuy,	Johnson,	Patten,	Vaughan,
Dix,	Johnston,	Pickens,	Wagner,
Dye,	Jones,	Propert,	Walton,
Elder,	Jump,	Ragot,	Watkins,
Ewing,	Kelley,	Reagan,	Watson,
Feola,	Kent,	Reese, D. P.,	Wescott,
Fish,	Kline,	Reilly, J. M.,	Wolf,
Fiss,	Kratz,	Reilly, W. J.,	Wood,
Flack,	Kurtz,	Richter,	Worley,
Fleming,	Laughner,	Riley,	Yeakel,
Foot,	Layer,	Robbins,	Young,
Frost,	Lee,	Robertson,	Lichtenwalter,
			Speaker.

NAYS—61

Andrews,	Dalrymple,	Lyons,	Price,
Bane,	Demech,	Mazza,	Readinger,
Barrett,	Efenberg,	Mikula,	Reese, R. E.,
Bender,	Erb,	Miller,	Scott,
Bentzel,	Evans,	Mills,	Shoemaker,
Bloom,	Getchey,	Mooney,	Snider,
Boies,	Goff,	Morrison,	Stank,
Brown,	Horan,	Najaka,	Swope,
Bucchin,	Kean,	Needham,	Thomassy,
Capano,	Kemp,	O'Connor,	Thompson,
Chervenak,	Kirley,	O'Neill,	Wachhaus,
Chudoff,	Kohl,	Petrosky,	Waldron,
Cochran,	Livingston,	Pichney,	Weidner,
Cole,	Livingstone,	Polaski,	Wheeler,
Crowley,	Lovett,	Powers,	Yester,
			Yetzer,

NOT VOTING—20

Cassidy,	McCormack,	Scanlon,	Verona,
Greenwood,	Mihm,	Schuster,	Wallin,
Haudenshield,	Naumann,	Simons,	Waterhouse,
Krise,	Root,	Tahl,	Weiss,
Madden,	Sarraf,	Trout,	West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. READINGER filed the following reasons for his vote:

I am voting "No" on House Bill No. 826, Printer's No. 587 for the reason that the penalties imposed against a striking worker by the bill are excessive and improper.

I am opposed to a strike against the government by any public employee, and if the bill simply forbade such striking, I would vote for it, but in the light of the penalties provided in this bill, I cannot vote for it.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 952, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exception) selected on a civil

service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred nine point one of the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exception) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 717) is hereby further amended to read as follows

Section 309.1 Compromises Where the Department is satisfied (1) that the employer is unable to make payment in full of contributions interest and penalties imposed upon him by the law or that it would be inequitable to require the payment in full of delinquent interest and (2) that the employer has acted in good faith the secretary is hereby authorized [with the approval of the Attorney General and under rules and regulations adopted therefor] to compromise delinquent interest and penalties due on any contribution and in the case of any employer that has been adjudged a bankrupt or for whom a receiver has been appointed to compromise the principal of any delinquent contribution as well as interest and penalties thereon Provided That any compromise of a total delinquent amount in excess of one thousand dollars shall require the approval of the Attorney General

Section 2 Sections four hundred two and four hundred four of said act as amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) are hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employee shall be ineligible for compensation for any week

(a) In which his unemployment is due to failure without good cause either to apply for suitable work at such time and in such manner as the department may prescribe or to accept suitable work when offered to him by the employment office or by any employer Provided That such employer simultaneously notifies the employment office of such offer

(b) In which his unemployment is due to voluntarily leaving work without good cause [Provided That no employee shall be deemed to be ineligible under this section where as a condition of continuing in employment such employee would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employees in the establishment or the occupation or would be denied the right of

collective bargaining under generally prevailing conditions] In determining whether or not an employee has left his work voluntarily without good cause the department shall give consideration to the same factors in so far as they are applicable provided with respect to the determination of suitable work under section four (t)

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

[(d) In which his unemployment is due to a voluntary suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed Provided That this disqualification shall apply only to any week of unemployment which in whole or in part includes any part of a period beginning with the day on which such suspension occurs and ending with (i) the last day of the fourth calendar week immediately following the calendar week in which such suspension occurs or (ii) the day on which such suspension was terminated whichever is the earlier]

(d) In which his unemployment is due to a suspension of work resulting from an industrial dispute at the factory establishment or other premises at which he is or was last employed as long as the dispute continues

(e) In which his unemployment is due to his discharge or temporary suspension from work for willful misconduct connected with his work and

(f) Which in whole or in part includes any part of the two-week period which immediately follows each period of employment under Shipping Articles

Section 404 Rate and Amount of Compensation Compensation shall be paid [with respect] to each eligible employee [whose benefit year begins prior to June first one thousand nine hundred forty-five in accordance with the provisions of this act prior to that date and with respect to each eligible employee whose benefit year begins subsequent to May thirty-first one thousand nine hundred and forty-five] in accordance with the following provisions of this section

(a) The employee's weekly benefit rate shall be that rate which appears in "part B" and which is on the same horizontal line in "part A" as the interval which includes his "highest quarterly wage"

(b) The "highest quarterly wages" of an employee shall be the total wages (computed to the nearest dollar) which were paid to such employee in that calendar quarter in which such total wages were highest during the base year

[(c) Each eligible employee who is totally unemployed with respect to any week ending subsequent to the sixth day of June one thousand nine hundred and forty-five and prior to the first day of January one thousand nine hundred and forty-six shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate no payment shall be made for any week ending during such period unless the employee has been totally unemployed with respect to such week and has served one waiting] [week as required under section four hundred one (e) Provided That with respect to such week the employee has been totally unemployed for purposes of this subsection An employee shall be deemed totally unemployed with respect to any week during which he performs no services and with respect to which no remuneration is paid or payable to him or to any week of less than fulltime work if the remuneration paid or payable to him with respect to such week does not exceed three dollars (\$3.00)]

(d) Each eligible employee who is unemployed with respect to any week [ending the first day of January one thousand nine hundred and forty-six or thereafter] shall be paid with respect to such week compensation in an amount equal to his weekly benefit rate less that

part of the remuneration of any paid or payable to him with respect to such week which is in excess of three dollars (\$3.00) such compensation if not a multiple of one dollar (\$1.00) shall be computed to the next higher multiple of one dollar (\$1.00) Provided That if at the end of any calendar quarter the balance in the unemployment trust fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation loss any refunds during any twelve consecutive months the maximum amount of compensation payable to any employee for a week of unemployment ending during the next calendar quarter shall not be in excess of eighteen dollars (\$18)

(e) Any otherwise eligible employee shall be entitled during his benefit year to an amount equal to his weekly benefit rate multiplied by the number which appears at the top of a column under "part C" to be ascertained by location on the same horizontal line on which his weekly benefit rate appears the interval which includes the total wages paid to him during his base year Provided That if at the end of any calendar quarter the balance in the unemployment trust fund to the credit of Pennsylvania is less than one and one-half times the highest amount paid out for compensation less any refunds during any twelve consecutive months no employee shall be paid compensation with respect to week of unemployment ending during the next calendar quarter in an amount which together with any amounts previously paid with respect to the same benefit year would be in excess of sixteen times the employee's weekly benefit rate or two hundred and eighty-eight dollars (\$288) whichever is the lesser and Provided Further That no employee shall be paid compensation in excess of twenty times his weekly benefit rate with respect to any benefit year which begins prior to the first day of October one thousand nine hundred forty-seven

(f) For purposes of this section and of section four hundred one (a) Wages paid with respect to employment performed under shipping articles shall be considered as having been paid in the respective calendar quarters in which the services of the employee were being performed

[Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)]

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	9	10
\$60-212	\$8	\$240-265	\$266-293
213-237	9	270-298	299-330
238-262	10	300-332	333-367
263-287	11	330-365	336-403
288-312	12	360-398	399-440
313-337	13	390-431	432-476
338-362	14	420-464	465-513
363-387	15	450-498	499-550
388-412	16	480-531	532-587
413-437	17	510-564	565-624
438-462	18	540-598	599-661
463-487	19	570-632	633-698
488 or More	20	600-665	666-735

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part C Base Year Wages			
11	12	13	14
\$294-321	\$322-349	\$350-377	\$378-405
331-361	362-393	394-424	425-456
368-402	403-437	438-472	473-507
404-442	443-480	481-519	520-557
441-482	483-524	525-566	567-608

477-522	523-567	568-613	614-658
514-562	563-611	612-660	661-709
551-603	604-655	656-708	709-760
588-643	644-699	700-755	756-811
625-683	684-743	744-802	803-862
662-724	725-787	788-850	851-913
699-765	766-831	832-898	899-964
736-805	806-875	876-945	946-1015

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	15	16
\$60-212	\$8	\$406-433	\$434-461
213-237	9	457-487	488-519
238-262	10	508-542	543-577
263-287	11	558-596	597-634
288-312	12	609-650	651-692
313-337	13	659-704	705-749
338-362	14	710-758	759-807
363-387	15	761-813	814-865
388-412	16	812-867	868-923
413-437	17	863-921	922-981
438-462	18	914-976	977-1039
463-487	19	965-1031	1032-1097
488 or More	20	1016-1085	1086-1155

Tables Specified For the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part C Base Year Wages			
17	18	19	20
\$462- 489	\$490- 517	\$518- 545	\$546 or more
520- 550	551- 582	583- 613	614 or more
578- 612	613- 647	648- 682	683 or more
635- 673	674- 711	712- 750	751 or more
693- 734	735- 776	777- 818	819 or more
750- 795	796- 840	841- 886	887 or more
808- 856	857- 905	906- 954	955 or more
866- 918	919- 970	971-1023	1024 or more
924- 979	980-1035	1036-1091	1092 or more
982-1040	1041-1100	1101-1159	1160 or more
1040-1102	1103-1165	1166-1228	1229 or more
1098-1164	1165-1230	1231-1297	1298 or more
1156-1225	1226-1295	1296-1365	1366 or more

Tables Specified for the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	9	10	11
\$60-212	\$8	\$240-265	\$266-293	\$294-321
213-237	9	270-298	299-330	331-361
238-262	10	300-332	333-367	368-402
263-287	11	330-365	366-403	404-442
288-312	12	360-398	399-440	441-482
313-337	13	390-431	432-476	477-522
338-362	14	420-464	465-513	514-562
363-387	15	450-498	499-550	551-603
388-412	16	480-531	532-587	588-643
413-437	17	510-564	565-624	625-683
438-462	18	540-598	599-661	662-724
463-487	19	570-632	633-698	699-765
488 or more	20	600-665	666-735	736-805

Tables Specified for the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part C Base Year Wages				
12	13	14	15	16
\$322-349	\$350-377	\$378-405	\$406-433	\$434-461
362-393	394-424	425-456	457-487	488-519
403-437	438-472	473-507	508-542	543-577
443-480	481-519	520-557	558-596	597-634
483-524	525-566	567-608	609-650	651-692
523-567	568-613	614-658	659-704	705-749
563-611	612-660	661-709	710-758	759-807
604-655	656-708	709-760	761-813	814-865
644-699	700-755	756-811	812-867	868-923
684-743	744-802	803-862	863-921	922-981
725-787	788-850	851-913	914-976	977-1039
766-831	832-898	899-964	965-1031	1032-1097
806-875	876-945	946-1015	1016-1085	1086-1155

Tables Specified for the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part A Highest Quarterly Wages	Part B Weekly Benefit Rate	17	18	19
\$60-212	\$8	\$462-489	\$490-517	\$518-545
213-237	9	520-550	551-582	583-613
238-262	10	578-612	613-647	648-682
263-287	11	635-673	674-711	712-750
288-312	12	693-734	735-776	777-818
313-337	13	750-795	796-840	841-886
338-362	14	808-856	857-905	906-954
363-387	15	866-918	919-970	971-1023
388-412	16	924-979	980-1035	1036-1091
413-437	17	982-1040	1041-1100	1101-1159
438-462	18	1040-1102	1103-1165	1166-1228
463-487	19	1098-1164	1165-1230	1231-1297
488 or more	20	1156-1225	1266-1295	1296-1365

Tables Specified for the Determination of
Rate and Amount of Benefits
(Section 404 Pennsylvania Unemployment
Compensation Law)

Part C Base Year Wages				
20	21	22	23	24
\$546-573	\$574-601	\$602-629	\$630-657	\$658 or more
614-645	646-676	677-708	709-739	740 or more
683-717	718-752	753-787	788-822	823 or more
751-788	789-827	828-865	866-904	905 or more
819-860	861-902	903-944	945-986	987 or more
887-931	932-977	978-1022	1023-1068	1069 or more
955-1003	1004-1052	1053-1101	1102-1150	1151 or more
1024-1075	1076-1128	1129-1180	1181-1233	1234 or more
1092-1147	1148-1203	1204-1259	1260-1315	1316 or more
1160-1219	1220-1278	1279-1338	1339-1397	1398 or more
1229-1291	1292-1354	1355-1417	1418-1480	1481 or more
1298-1363	1364-1430	1431-1496	1497-1563	1564 or more
1366-1435	1436-1505	1506-1575	1576-1645	1646 or more

Section 3 Section eight hundred one of said act is hereby amended to read as follows

Section 801 False statements and representations to obtain or increase compensation Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact to obtain or increase any compensation or other payment under this act either for himself or for any other person shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty nor more than fifty dollars [and in default of the payment of such fine and costs] or shall be sentenced to imprisonment for not longer than thirty days or both and each such false statement or

representation or failure to disclose a material fact shall constitute a separate offense

Section 4 Except as otherwise specifically provided herein the amendments to sections three hundred nine point one four hundred two and eight hundred one shall become effective the first day of July one thousand nine hundred forty-seven and the amendments to section four hundred four shall become effective the first day of October one thousand nine hundred forty-seven any claim for compensation filed with respect to any week of unemployment ending on or after the first day of July one thousand nine hundred forty-seven shall be subject to the provisions of section four hundred two as amended by this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CAPANO. Mr. Speaker, yesterday Mr. Cole related some of his bitter experiences when no labor laws existed in the state of Pennsylvania. I too could relate many such experiences when I lived in my native county of Armstrong, and also witnessed such experiences in other counties such as Indiana, Jefferson, Washington and Greene. I am not going to take the time to relate these experiences because I feel you are all acquainted with them. However, labor by bitter past experience is distrustful of management. And management cannot come into court with clean hands. The strike is labor's one weapon of defense. To deprive labor of its weapon, either directly or indirectly, for example, by denying unemployment compensation benefits, without providing adequate protection against unscrupulous, unjust and unfair tactics of management, which I have known in the past, would subject labor to slavery.

I am going to read to you part of an article which was written in the Reader's Digest in the May issue entitled "The Right To Strike," authored by Stewart Chase. This article by the way was written as proof of the fact that peace between labor and management can be achieved and that strikes can be prevented. On page 108 of that article:

"An excellent recipe for stopping strikes is steady employment. When the worker feels secure in his job he finds it hard to hate the company. If something could be done in order to help secure and maintain employment at a reasonable level, a great step forward in labor relations will have been taken.

"But even more fundamental is the attitude of managers toward the men. The master-servant relationship is out the window. Only a fraternal attitude, where nobody looks up and nobody looks down, where men and managers will look horizontally across the table at one another, can be depended on in this democracy."

You cannot establish industrial peace by legislation designed to punish, or restrain, and for that reason we are against this bill because of the strike clause contained therein.

Mr. MAZZA. Mr. Speaker, I rise in opposition to House Bill 952 and to oppose and vote against this anti-labor legislation because I feel it is unfair and unjust to men who work in the mines and the mills to be without the protection of unemployment compensation. I honestly feel that all we are doing is putting the burden on the State, and I want to say at this time that the membership of

the American Federation of Labor, the CIO and United Mine Workers oppose this bill.

The principal objective sought by the sponsors of this legislation is to deny to the individuals involved in industrial disputes unemployment compensation benefits for the period covering the dispute. The law in its present form denies compensation to workers involved in industrial disputes for a penalty period of four weeks, after which such worker may receive unemployment compensation benefits. The present provisions of the act have been in existence since the act was originally adopted in 1937.

A further objective is to strike out section 402 (b) of the present law which provides

"Providing that no employee shall be deemed to be ineligible under this section where as a condition of continuing in employment such employee would be required to join or remain a member of a company union or to resign from or refrain from joining any bona fide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employees in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions."

This means that the present law which affords protection to persons holding membership in unions would be eliminated, and if this amendment were adopted, all workers in the future would be required to accept any type of job to which they were referred by the employment service, even though it meant that they would be expelled from their union.

We should like to draw your attention to the strategy adopted by the sponsor of this bill wherein he proposes to add four weeks of additional benefits which means an increase from 20 to 24 weeks of benefits in a given year, which is designed for the express purpose of making it rather difficult for any one to oppose the bill. In other words, they offer an additional four weeks of benefits, which will affect probably less than one out of every thousand workers in Pennsylvania in the course of a year, but the price of which is the elimination of benefits in industrial disputes even after the four week penalty period—and more important than all, the elimination of the protective provisions of Section 402 (b) which is presently in every other Unemployment Compensation Act in the United States, to the best of our knowledge.

We should also like to call your attention to the fact that both major political parties inserted among their labor planks in the last campaign a provision for the liberalization of the Unemployment Compensation Act. Surely no one of sound mind will be deluded by this particular bill in believing that there is a phase of liberalization in this measure. To say we are disappointed is expressing it rather mildly.

In view of the viciousness of this measure, as well as the unethical strategy that was used, may we call upon you to join with us in our fight to defeat this most vicious anti-labor measure, House Bill 952.

Now, Members of the House, the least we can do is to sit down and analyze why we have strikes. I know because I come from a working district. When a working man takes home his pay, and he does not have enough money to pay his bills, you are going to have a dissatisfied worker. During the war, labor was only granted a

fifteen per cent increase under the War Labor Board. Sure, the employers were all grateful, they wanted to grant an increase and they said, "We would like to give you an increase but the War Labor Board won't grant it."

I want to say at this time that during the war the take-home pay of men was greater than it is now. The reason for that was that the working man was working six days a week or seven days a week for which he received double time and worked double shift, and for which his take-home pay was greater during the war than it ever was. But what happened after the war and what caused the strikes? For this reason, you eliminated double time and time and a half and the overtime for the working man which automatically cut his pay in half.

If the members of the General Assembly can tell me how the working man can meet this high cost of living I want to know.

Mr. GOFF. Mr. Speaker, I would like to quote from a letter which I received this morning from William H. Clapie, Chairman of the the Telephone Employees' Emergency Council of Beaver County, regarding the adverse decision of the Unemployment Compensation Board in Harrisburg. The letter reads as follows:

"The telephone employees here in Beaver County, numbering 258 have filed claims for unemployment compensation from April 7 to April 21 inclusive due to the fact that their places of work was picketed by members of the National Federation of Telephone Workers. We in Pennsylvania, employees of the Bell Telephone Company of Pennsylvania, do not belong to this National Federation. We were not on strike during that period and this fact was admitted by the Company in the press and their paid advertisements. The National Federation struck and placed a line of pickets at both the exchanges here in Beaver County. To prevent any possibility of disturbances or violence, we all refused to cross those picket lines.

"There are three departments here which are involved in this unjust decision. The plant Department with 63 members of which 47 have so far filed claims. The Traffic Department with 204 filing claims. The Commercial Department with 8 filing claims. None of these were involved in this dispute and were not striking. In fact, the Traffic Employees have a contract with the Company which does not expire until July 16th of this year. The Commercial contract has not as yet expired. Therefore they, both departments are above all entitled to this compensation.

"Many other places in the State, of Pennsylvania have also been thus affected by this decision and it is our belief that there must be some honest people in the State which will champion this cause to have justice rule. It is my personal opinion that this decision was rendered under pressure from less honest groups.

"I, as well as the other 258 employees here in Beaver County, will appreciate all that you can do in behalf of this claim and reestablishment of justice and honor in our own State of Pennsylvania.

"Thanking you in advance, I am".

Mr. Speaker, on the basis of this letter alone, I oppose this bill.

Mr. HOFFMAN. Mr. Speaker, in connection with House Bill 952, Printer's No. 620 and other related labor bills that are before us, I want to make it clear as far as my personal position is concerned that I am a friend of labor. I certainly would not allow myself to be committed to do anything of a punitive nature or out of a

spirit of vindictiveness to take away the social gains and the economic advantages that labor has gained over the years. But I am conscious of the fact that there are other elements that must persuade our better judgment when we come to discuss the question of whether labor shall take precedence over government, whether it shall set itself up as a special or a collective unit that shall dominate the other social advantages and educational and economic advantages and conditions that are also the benefits of the whole people.

I believe very sincerely that labor has its rights within the sphere of not abusing the rights of other, and when we come to analyze the proposition of labor seeking to better its social advantages to promote its best economic interests all of us must be in common agreement, because that is their inherent right, that is their privilege, that is their prerogative in the social body in which we live. And they are responsible also for these privileges and these opportunities and these benefits. We cannot condone that one section or one segment of our society shall have preferred rights over society as a whole. We must live in common purpose and common spirit and in common cooperation, and that is not to deny labor what it rightfully deserves. Until we have come to the point where both labor and capital have come to a common agreement of common opportunity and common responsibility we will still be in conflict, and we will not be released from these things that disturb our social peace and disrupt our economic production and that interfere with the happiness and well being of the greatest number of people that make up our common society.

I am of the opinion that much of the conflict that is raging today is assumed by labor because it does not appreciate what has been its gain socially and what has been its opportunity and gain economically, and until they meet on the ground of common cooperation with capital and recognize that the responsibility must be mutual on both sides we are going to have this conflict instead of the peace that we ought to have in our social and economic life.

Therefore today, making myself as clear as I possibly can, I am in favor of these bills because I think they go a long way to help us understand that continuance of conflict of opinion and the right to supersede our selfishness over the rights and privileges of the majority is at a point where the majority must take its stand if we expect to have tranquility and the domestic peace in our economic life.

Therefore I am in favor of this bill and will vote for its approval. Thank you very much.

Mr. ANDREWS. Mr. Speaker, there are occasions when it is necessary to save even labor from its friends. It has been a continuing cause of regret to me over the years that it was so frequently impossible under either Democratic administration or Republican administration to discuss measures of broad social import upon the basis of merit alone.

Under Democratic administration there were points upon which I was unable to agree with the opinions of administration leaders, and for that automatically they read me out of the party.

Well, gentlemen, most of them have disappeared from the scene and I am still here. In those days I made up

my mind that as far as I was concerned and the time ever came when I had a voice of influence in the Democratic caucus we would in that caucus attempt to convince, but we would never attempt to coerce, and in so far as our policy has been represented upon this floor it is not the result of coercion upon the part of king-caucus ruling in Democratic circles.

Now, gentlemen, if you will consider history, the social gains that you are talking about for labor as implied in existing legislation, were mainly passed by the Earle administration, and opposed by the Republican contingent in the House and the Senate. If you will consider the legislation in which the days to come you will take most pride, you will find the germs of that legislation clearly stated in bills which you disregarded at the 1943 and 1945 sessions of the General Assembly and which were submitted by members of the minority group.

At this session your faults, gentlemen, have been mainly your own, and when the record is completed your virtues in the main will be ours. Now, the pendulum swings wherein we return to power as we will. We will continue all of the good legislation which you have passed at this session—and there will be good legislation,—if I wanted to take your time I could take bill after bill sponsored with great pride by Members of this House on the majority side that were ignored and couldn't even get a hearing in committee in 1945. Now you have great pride in them, and now they are the very jewels in your diadem.

This particular measure is entirely obnoxious to all of the ideals that various of your Members have so eloquently expressed. It is deficient mechanically and it is outrageous in some of its provisions. It carries a brief benefit, increases the period of unemployment compensation to twenty-four weeks.

I submit to you that unemployment is a social burden. It is a social burden that someone must bear. Unemployment is a drain upon purchasing power, it is a drain upon money that goes into the tills of the country merchants and of the city merchants, and when you deprive any material economic constituency in this Commonwealth of the ability to purchase, you are not only punishing the individual who is not able to purchase but you are punishing the tradesmen of this Commonwealth. One of the purposes of the unemployment fund is to keep liquid the economy of this State during periods of unemployment, and the burden of unemployment is exactly the same, whatever the merits of any dispute may be. I say if you want to punish a worker you will have to include in his punishment the tradespeople of this Commonwealth.

This bill is wrong because it does not clearly define what is a strike. The gentlemen on the other side of the House have cited to you a specific instance. I say that a bill that is to punish people who strike should at least define what a strike is, and protect to some length at least those who are the victims of unemployment involuntarily—involuntary unemployment that necessarily comes as a result of a strike in some industry.

There is nothing in this bill that establishes responsibility for a strike. You calmly presume that in every labor dispute the workers are one hundred per cent wrong and the management is one hundred per cent right. If you were going after this situation in a work-

man-like fashion you would at least have some type of tribunal that would establish responsibility for a strike. In this Commonwealth you want to punish strikes, to intervene with the State to punish strikes without any competent machinery—and I say competent machinery, and I emphasize that, for preventing strikes.

Now, in the name of ordinary justice if you are going to punish strikes and make the punishment mandatory, establish some kind of machinery for preventing strikes. As I pointed out, there is nothing in the bill that recognizes the excesses of management.

The motive back of this bill is simply this, substantial employers look forward to an inevitable recession in employment levels and price levels. Personally I believe they are right; that there will be a recession, there must be a recession in price levels, and that will bring a recession in employment levels. You enter therefore inevitably into a period of controversy during which if one by one you take away the established weapons that labor enjoys it will be compelled to seek employment at constantly lower levels, with the result that the economy that you now have and that we now take pride in will be undermined and your employer tending more and more in our time toward monopoly of protection will be able to go into the labor market and hire labor at constantly decreasing levels, and by this kind of legislation and other kinds of legislation chain the worker to his job.

Now, members of the House, if you wanted to be statesman-like you would take this measure and write into it the safeguards that I have briefly indicated. As it stands it is a menace to the business economy of the Commonwealth and a bill that every corner grocer ought to regard with horror.

Mr. SORG. Mr. Speaker, it is natural that there should be differences in our philosophy. We are two parties. I am glad, however, that the gentleman did not attack motives. We approached this problem not from the standpoint of labor, not from the standpoint of industry but from the standpoint of government, fair and equitable dealing in our economic circumstances, with the thought of returning to the original concept of the unemployment compensation law.

This is not a bill that is designed to punish strikers. It is a bill to preserve with the fund established for the purpose, the means of subsistence for the man who is involuntarily unemployed and there is a consciousness in the failure to use the word "strike." As in the case cited by the gentleman who previously spoke, it was the result not of an industrial dispute, but it was a voluntary suspension of work, and if the gentleman wanted to make a real point he might as well say that unemployment compensation was designed to punish sick people because there is nothing in any unemployment compensation law that I know of that compensates a man who is unemployed because he is sick.

I see no reason then why there should be unemployment compensation to the man who voluntarily suspends his work for less good reasons.

The original concept of the unemployment compensation law was to provide against the very recession that the gentleman refers to. If there is inequity and injustice he should be compensated for his involuntary suspension, and it does work two ways, Members of the House, it

does work two ways, because the employer has an investment of six thousand dollars for each job that he provides and for every day that that investment stands idle he stands to lose more than the workers hoped to gain by the unemployment compensation benefits that would be provided even if the amendment of the gentleman from Washington had been accepted.

This bill is not punitive. We have approached the question from the standpoint of equity and justice in the law for the benefit of the public that is interested in continued protection so that having the ability to purchase there will be the things to purchase.

Mr. LOVETT. Mr. Speaker, I just want to say that I am opposed to this bill. This bill that we now have before us deals a little bit with another bill that we are going to have in a few minutes which is known as Senate Bill 78.

My good friend from Washington County, is as one crying in the wilderness to his friends over here on this particular bill in stating that you increase unemployment compensation for a period of four weeks. Now, we do a lot of talking about our surrounding states, how we have to compete. In our surrounding states, some I know already pay benefits for twenty-six weeks, and they have paid benefits for twenty-six weeks for a number of years.

As the gentleman from Washington said, both parties agreed that we should liberalize unemployment compensation. We do liberalize four weeks compensation under this particular bill, and you take away the rights of the man who goes on strike after a waiting period of four weeks. So to me, my friends, you are not doing anything for the working people of Pennsylvania; you are not liberalizing the unemployment compensation.

Senate Bill 78, which is the merit rating bill—and I think we have a right to talk on it under the guise of putting the bills in order here, and one bill does affect the other; the reason why we are going to have this merit rating is because we do not want this fund to get too big. If it does we will be compelled to really liberalize it and come up to the payments of our neighboring states. This great liberal State of Pennsylvania! That is the reason why even big business that has workers that they have to lay off may not be benefited under merit rating, they still swallow it on the grounds that they know that if that fund does get so great, then you are compelled to liberalize it, and that is the reason why I got up on this particular bill, because it does deal with the other bills that we will vote upon a little later.

My friends, you should listen to your friend from Washington County and defeat this particular bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Capano, Petrosky and Cole.

The roll was verified and was as follows:

YEAS—123

Aaronson,	Gorman,	Lyons,	Rowen,
Baumunk,	Graybill,	Madden,	Royer,
Beech,	Greer,	Madigan,	Sax,
Bonawitz,	Griffiths,	McCosker,	Serrill,
Boorse,	Guthrie,	McCullough,	Smith, C. C.,

Bower,	Gyger,	McDonald,	Smith, C. M.,
Breisch,	Hall,	McKinney,	Sollenberger,
Brice,	Haller,	McMillen,	Sorg,
Brunner,	Helm,	Mintess,	Sproul,
Cadwalader,	Henry,	Mohr,	Stimmel,
Clevenger,	Hewitt,	Moore, C. E.,	Stockham,
Cook,	Hocker,	Moore, H. A.,	Stonier,
Cooper,	Hoffman,	Murray,	Stuart,
Costa,	Hoopes,	Myers,	Tittle,
De Long,	Horan,	Neff,	Tompkins,
Dennison,	Imbt,	Nelson,	Toomey,
Depuy,	Jennings,	O'Dare,	Turner,
Dix,	Johnson,	O'Donnell,	Upshur,
Dye,	Johnston,	Orban,	Vaughan,
Elder,	Jones,	Patten,	Wagner,
Ewing,	Jump,	Pickens,	Walton,
Feola,	Kelley,	Probert,	Watkins,
Fish,	Kent,	Ragot,	Watson,
Fiss,	Kline,	Reagan,	Wescott,
Flack,	Kratz,	Reese, D. P.,	Wolf,
Fleming,	Kurtz,	Reilly, W. J.,	Wood,
Foor,	Laughner,	Richter,	Worley,
Frost,	Layer,	Riley,	Yeakel,
Gallagher,	Lee,	Robbins,	Young,
Gibson,	Leisey,	Robertson,	Lichtenwalter,
Goodling,	Loftus,	Rose,	Speaker.

NAYS—60

Andrews,	Crowley,	Mazza,	Reese, R. E.,
Bane,	Dague,	Mikula,	Scott,
Barrett,	Dalrymple,	Mills,	Shoemaker,
Bender,	Davison,	Mooney,	Snider,
Bentzel,	Demech,	Morrison,	Stank,
Bloom,	Erb,	Najaka,	Swope,
Boles,	Evans,	Needham,	Thomassy,
Brown,	Getchey,	O'Connor,	Thompson,
Bucchin,	Goff,	O'Neill,	Verona,
Capano,	Kean,	Petrosky,	Wachhaus,
Chervenak,	Kemp,	Pichney,	Waldron,
Chudoff,	Kirley,	Polaski,	Weidner,
Cochran,	Kohl,	Powers,	Wheeler,
Cole,	Livingstone,	Price,	Yester,
Cordier,	Lovett,	Readinger,	Yetzer,

NOT VOTING—22

Cassidy,	McCormack,	Sarra,	Trout,
Efenberg,	Mihm,	Scanlon,	Wallin,
Greenwood,	Miller,	Schuster,	Waterhouse,
Haudenschild,	Naumann,	Simons,	Weiss,
Krise,	Reilly, J. M.,	Tahl,	West,
Livingston,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1001, as follows:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No persons or association of persons shall operate or maintain a labor union unless and until there has been first filed with the Department of Labor and Industry a sworn statement in writing signed by the president and secretary of such labor union setting forth the names and addresses of all its officers its aims and objects the scale of dues initiation fees fines and assessments to be charged to members and the salaries bonuses or other gratuities to be paid to its officers

Section 2 The president and secretary of all labor unions shall thereafter make an annual report to the Secretary of Labor and Industry in such form as he may prescribe duly signed by such officers setting forth the amount of

money received from initiation fees dues fines and assessments the amount paid in salaries to officers listing their names addresses and amount paid to each and all other expenditures listing the name and address and amount paid to each person

Section 3 The Department of Labor and Industry shall keep a record of all statements and reports submitted to him under the provisions of this act which shall be confidential reports and shall be released to those who have direct interest in the subject matter thereof He shall report to the Attorney General all instances of neglect or omission on the part of any person or association of persons to comply with the provisions of this act for the enforcement of the penalties thereof

Section 4 Whoever violates either section one or section two of this act or knowingly makes or files any statement or report which is false as to any material fact or representation shall upon conviction thereof be sentenced to pay a fine of not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) or in the case of the responsible officers or agents of any union to undergo a term of imprisonment not exceeding one year or both

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BROWN. Mr. Speaker, on yesterday I gave my consent to this bill and I intend to vote for it to-day. On yesterday as you recall, the gentleman from Northampton, the sponsor of this bill, or one of the sponsors, was kind enough to insert an amendment in the bill. After that amendment had been inserted and the House had recessed I found in the Supreme Court reports, of the United States, a case which parallels this bill, and I submit this matter to the House with the hope that the bill will be corrected in the Senate.

I presume that this bill is being passed or presented under the police powers of the State to regulate organizations. It does not state so in the bill, but I presume that is the purpose. Otherwise there would be no legal foundation upon which such a bill could be sustained. This bill as it now written provides that "no personal association of persons shall operate or maintain a labor union unless and until there has first been filed with the Department of Labor and Industry a sworn statement in writing"; and so forth.

It therefore prevents a labor union from organizing, and I submit to this House that this is a matter I understand which the sponsors of the bill will change in the Senate, that that is not the intent of the sponsor, although it is written in the bill. The reason for that correction, I submit, Mr. Speaker, may be found in the Supreme Court Reports of 1945 in a case of Thomas vs. Collins, in which the State of Texas required labor unions to register before soliciting members. Thomas, a labor organizer, refused to register, he was haled into court, and secured a writ of habeas corpus. The courts of Texas upheld the contempt proceedings but the State Court was reversed by the United States Supreme Court. The United States Supreme Court held and I am not going to take the time of the House to read the opinion in full, but it is very vital to this matter which we are now discussing and I will just read enough of it to show that we are now treading on dangerous ground and we should

at least be sure of our Constitutional rights. The court said in that case, and I quote:

"The controlling principle is stated in the case of De Joyne vs. Oregon, 299 U. S. 353, and the court held there that peaceable assembly for lawful discussion cannot be made the subject of a crime."

In this bill as it is now written, before an organization can get started it must first file certain sworn statements. It is my opinion that this case that I have cited in the United States Supreme Court reports, parallels the situation that we find in House Bill 1001, where I believe the sponsor intends to make the necessary corrections in the Senate.

Mr. EVANS. Mr. Speaker, I rise to oppose the passage of this bill and I do so primarily because no one organization in the Commonwealth of Pennsylvania that is organized on a non-profit and voluntary basis is included in this bill, with the exception of labor unions.

Mr. Speaker, I want to say at the outset for the benefit of the Members of the House that I am a member of organized labor, and for the past fifteen years, with the exception of several years when I was away I was an officer of a labor organization, and I make reference to the United Mine Workers of America.

Now, with respect to some of the provisions of this bill it would require a labor union when filing to set forth the objects of the organization. For what purpose, I don't know, and for whose benefit I don't know, certainly not for the benefit of the union members. All labor organizations function under a constitution, a constitution that is written, agreed to and approved by the membership of the union in convention. The constitution of a labor organization sets forth the objects of the organization, and for the benefit of the Members of the House I would like to just read very briefly some of the objects of the United Mine Workers of America, as they appear in the constitution.

Peculiar as it may seem, the first object deals with a situation that has given a great deal of concern to the Members of this House at the present time, and I quote: "To unite in one organization regardless of creed, color, or nationality." It may seem to some that this provision has been written in the last four or five weeks since we had a march on the capitol in Harrisburg by a large delegation of citizens asking the General Assembly to pass the Fair Employment Practice Laws. But the truth of the matter is that that provision as I read it for you appears in this constitution—first appearing in the year 1891, 56 years ago.

I would like for the benefit of the Members to read another provision: "To secure adequate old age pension, workmen's compensation and unemployment insurance laws." Those objectives were written into this constitution many years before there was a workmen's compensation law in the State of Pennsylvania, and many years before we had the unemployment compensation law in the State of Pennsylvania.

One of the other provisions of this act deals with officers' salaries. There is a very noble gesture, and I am entirely in favor of it. If every other non-profit, voluntary association in the Commonwealth of Pennsylvania is required to do likewise I would be very happy to exchange that kind of information with the Members of

the House either privately or on the floor of the House. I would especially like to exchange that kind of information with some of the gentlemen who are non-Members of the House but who are here on every legislative day lobbying for special interests in this Commonwealth.

Another provision in this constitution deals with initiation fees and dues charged by labor unions. Contrary to the opinions of many, initiation fees and dues are not set by officers of labor unions. They are set by constitutional process by the members themselves, and the members know what they are paying because they set those figures.

Labor organizations are non profit voluntary associations. They are treated under the law the same as other non profit and voluntary associations such as churches, fraternal organizations, citizens groups and the many and varied non-profit associations that we have in this Commonwealth. To single out labor organizations in this bill and not mentioning any of the other groups is discrimination and lack of equal protection of laws under our constitution.

This bill is simply a device proposed by anti-union employers on the one hand by innuendo to accuse unions in general of dishonesty. Unions have nothing to hide from its members or from the public. They do not see the need for a bureaucratic set up to receive data that will require increased expenditures on the part of the tax payers and will require increased labor and waste of time and funds of their members.

Labor unions under their constitution and by laws provide effectively for the method of accounting to their members for funds collected and for their expenditure and you will find also that labor unions are willing to give to any legitimately interested persons information concerning their financial affairs. These unions have auditors elected by the members who go over their financial affairs and make a report to the various unions and to their conventions.

In the Mine Workers Union, of which I am a member, an itemized statement of receipts and expenditures is given to every local union twice a year by the National Union. This report is completely thorough down to telephone expenses and postage stamps. [A report is also given to the Treasury Department on Form 990, which form requires information concerning receipts and disbursements sufficient for any legitimate purpose that may be required by the Federal Government.]

Are the State Chamber of Commerce and the State Manufacturers Association, who desire this kind of Legislation, required to file these kind of financial reports? Are the Kiwanis Clubs, the Lions Clubs, the Rotary Clubs, the Moose Clubs, the Eagles Clubs, the Elks Clubs, the Veterans of Foreign Wars, of which I am a member, and the American Legion, of which I am a member and many other like organizations, required to file this kind of reports? Why are labor unions singled out for this kind of legislation and all other groups excluded?

This kind of restrictive and un-American legislation will not solve any of our industrial problems and can only affect a very serious weakening of the entire industrial structure in this Commonwealth. A strong and healthy trade union movement is indispensable to the welfare of the American workers and also to the health of our economy. When industry and finances in this

Commonwealth call upon the legislative body to restrain labor and neutralize its strength, they are responsible for the first step to creating a corporate or absolute state. In the end, the activities of all citizens would be regulated and a regimentation of all groups would be necessary to a maximum degree. It will only be a matter of time until every group, farmers, laborers, small business, big business, fraternal organizations, and so forth, would all be regimented, for what can happen to one group will eventually happen to all groups.

Therefore, I am asking the members of this house to defeat this piece of legislation. The only way to industrial peace is through true and genuine collective bargaining by the employers and employees entered into in good faith by both parties concerned.

Mr. DAVID P. REESE IN THE CHAIR

Mr. LOVETT. Mr. Speaker, I agree that we may not be in agreement on legislation, and I reserve the right to disagree and you reserve the right to disagree on principles and issues, but for the life of me I cannot understand why you nice fellows over on that side of the House, whom I have a lot of respect for, will allow somebody, some one or two or somebody on that side of the House to have legislation like this introduced. What are you trying to do? Do you want to have all the laboring people of Pennsylvania mad at you? And for what reason do you want to get them mad? Do you think you are going to stop unions in Pennsylvania if you get them to file these accounts? No, you are not going to stop unions, you are going to have unions just the same. So I say, "let's be fair" with the Members over there that are in favor of doing the right thing by labor, and don't allow them to introduce legislation like this to put you fellows on the spot when the legislation doesn't mean anything.

I sympathize with any man over there that has to vote for this kind of legislation. The people of Pennsylvania were good to you during the last election. Now, do you want to make them all mad? To me I don't know why I get up here and plead for you, because if you fellows get these fellows mad enough they are all going to vote for the Democrats the next election. But I want to be fair with you fellows over there. I know there have been some of you who have not gone for that kind of thing. We haven't always agreed, I haven't always agreed on my side and you haven't always agreed on your side, but I say honestly to you I don't know why you fellows don't sit down and agree to give these fellows a break, and run along and dump this piece of legislation back into the hopper. It doesn't make any difference, everything will be the same; the State will go along just the same, so I ask you to defeat this bill.

Mr. RAGOT. Mr. Speaker, the emphasis of House Bill 1001 is for the information and protection of the workers. It requires the filing of a financial report with the Secretary of Labor and Industry by a labor union.

The union is a quasi-public institution and ought to report its activities. I believe that unions are under an obligation to give financial statements to their members. Such reporting to their membership and in many cases to the public is standard reporting now in many unions, and I can see no valid grounds for objection to the requirement.

This bill does not take away any of labors gains, it is solely informative. I urge every Member of the House to support House Bill 1001.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

Mr. COLE. Mr. Speaker, I too rise in protest against the passage of this bill. It may not look as though this is a bad bill on the surface. Labor unions in general do not fear the exposure of their expense accounts. In our local union we have our own auditors and we audit our books every three or six months. That report is made to the membership. In our various district offices we also have our board of auditors elected by the membership. They audit the books, and those reports are sent to the local unions. Our international auditors, elected by the organization members audit the international books even down to a postage stamp. Those reports are sent back home to the members, but for the life of me I cannot see why just labor unions are picked out for this legislation. To me that is the reason why I say this bill should be defeated, because it is unfair, it is unjust, and it is un-American.

The purpose of this bill, the main purpose behind this bill is to give to the employer the right to look over the financial condition of the labor union so that when it comes to a question of a collective bargaining contract he can figure to the day how many days they can afford to stay out of work and I hope for that reason alone, and to keep that weapon out of the hands of the employer that this bill be defeated.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Cole, Capano and Mills.

The roll was verified and was as follows:

YEAS—126

Aaronson,	Gorman,	Lyons,	Rose,
Baumunk,	Graybill,	Madden,	Rowen,
Beech,	Greer,	Madigan,	Royer,
Bonawitz,	Griffiths,	McCosker,	Sax,
Boorse,	Guthrie,	McDonald,	Serrill,
Bower,	Gyger,	McKinney,	Smith, C. G.,
Brice,	Hall,	McMillen,	Smith, C. M.,
Brown,	Haller,	Mintess,	Sollenberger,
Brunner,	Heim,	Mohr,	Sorg,
Cadwalader,	Henry,	Moore, C. E.,	Sproul,
Clevenger,	Hewitt,	Moore, H. A.,	Stimmel,
Cook,	Hocker,	Murray,	Stockham,
Cooper,	Hoffman,	Myers,	Stonier,
Costa,	Hoopes,	Neff,	Stuart,
Davison,	Imbt,	Nelson,	Tittle,
De Long,	Jennings,	O'Dare,	Tompkins,
Dennison,	Johnson,	O'Donnell,	Toomey,
Depuy,	Johnston,	Orban,	Turner,
Dix,	Jones,	Patten,	Upshur,
Dye,	Jump,	Pickens,	Vaughan,
Elder,	Kean,	Price,	Wagner,
Ewing,	Kelley,	Propert,	Waldron,
Feola,	Kent,	Ragot,	Walton,
Fish,	Kohl,	Reagan,	Watson,
Fiss,	Kratz,	Reese, D. P.,	Wescott,
Flack,	Kurtz,	Relly, J. M.,	Wolf,
Fleming,	Laughner,	Relly, W. J.,	Wood,
Foor,	Layer,	Richter,	Worley,
Frost,	Lee,	Riley,	Yeakel,
Gallagher,	Leisey,	Robbins,	Young,
Gibson,	Livingston,	Robertson,	Lichtenwalter,
Goodling,	Loftus,		Speaker.

NAYS—59

Andrews,	Crowley,	Mikula,	Scott,
Bane,	Dague,	Miller,	Shoemaker,
Barrett,	Dalrymple,	Mills,	Snider,
Bender,	Demech,	Mooney,	Stank,
Bentzel,	Efenberg,	Morrison,	Swope,
Bloom,	Erb,	Najaka,	Thomassy,
Boies,	Evans,	Needham,	Thompson,
Breisch,	Getchey,	O'Connor,	Verona,
Bucchin,	Goff,	O'Neill,	Wachhaus,
Capano,	Kemp,	Petrosky,	Watkins,
Chervenak,	Kirley,	Pichney,	Weldner,
Chudoff,	Kline,	Polaski,	Wheeler,
Cochran,	Livingstone,	Powers,	Yester,
Cole,	Lovett,	Readinger,	Yetzer,
Cordier,	Mazza,	Reese, R. E.,	

NOT VOTING—20

Cassidy,	McCormack,	Sarra,	Trout,
Greenwood,	McCullough,	Scanlon,	Wallin,
Haudenshield,	Mihm,	Schuster,	Waterhouse,
Horan,	Naumann,	Simons,	Weiss,
Krise,	Root,	Tahl,	West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1076, as follows:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complain the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of em-

ployes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as added by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby amended by adding at the end thereof a new clause to read as follows

Section 6 Unfair Labor Practices

* * * * *

(2) It shall be an unfair labor practice for a labor organization or any officer or officers of a labor organization or any agent or agents of a labor organization or any one acting in the interest of a labor organization or for an employee or for employees acting in concert

* * * * *

(d) To picket or cause to be picketed a place of employment by a person or persons who is or are not an employee or employees of the place being picketed while a strike is in progress affecting the place of employment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BROWN. The hour is getting late; we have had a long session and we are all restless. However we are dealing as I said yesterday with one of the most fundamental liberties guaranteed to the people by a free government, and that is the right of free speech and the right of free assembly.

Whether the hour is late or whether we are hungry or restless it is our constitutional duty to raise our voices against any impingement on that right as long as there is life in our bodies. If we do not do that, those who impinge upon the freedom of others will some day impinge upon the freedom of ourselves.

I tell you, Mr. Speaker, that this bill is unconstitutional; it should not be passed and I would like to say briefly that I base my opinion upon the Supreme Court of this Commonwealth, and there I rest my case.

I shall not indulge in a long speech. We know the purpose of this bill. It makes it an unfair labor practice to picket a place where you are not an employee, and therefore you are subject to the penalty provided by law. Now, there are many kinds of duties to our constitutional government written in the fundamental law of the land that we call the land of the free and the home of the brave.

The opinions of the Supreme Court of the United States, the opinions of the Supreme Court of Pennsylvania, the opinions of the Supreme and Appellate Courts

of other states are abundant with statements as to what we should do with these liberties and how we should guard them. There is one decision in the State of New York written by the Appellate Court there that to me is the basis of all that is in this bill. I would like to quote briefly from one paragraph in a case reported in 206 New York, page 455, and the language which I shall quote from in paragraph is this:

"The very nature of our free government forbids that a man should be compelled to refrain from acts which the law permits."

May I repeat that quotation: "The very nature of our free government forbids that a man should be compelled to refrain from acts which the law permits."

Does the law permit the act of picketing? I go to the Supreme Court of Pennsylvania in a case decided in 1946, the Westinghouse Electric Corporation vs. the United Electric Workers, reported lately in 353 Pa., page 446, wherein the court laid down this fundamental principle, and I quote from that decision:

"The right of picketing when free from coercion, intimidation and violence is a right constitutionally guaranteed as one of free speech".

There is nothing in this bill about any coercion; there is no allegation of any intimidation; there is no allegation of violence.

I submit, therefore, to this General Assembly that this act is unconstitutional, and it cannot stand the test of our free government and therefore should be voted down.

Mr. READINGER. Mr. Speaker, I agree with the gentleman from Allegheny that it does not matter whether the hour is late, whether we are hungry or how long we spend debating this bill. If it takes the rest of the week we should stay here and say what we have to say about it.

Mr. Speaker, in listening to the discussion about this on second reading yesterday I believe that the Minority Floor Leader and the Majority Floor Leader agreed that if I as an individual desired to picket some plant as the result of a dispute, I would have the right to do so, but the way this bill reads I am doubtful whether or not that is correct.

Page 4 of this bill provides that "it shall be an unfair labor practice for a labor organization or any officer or officers of a labor organization or any agent or agents of a labor organization or anyone acting in the interest of a labor organization or for an employee or employees acting in concert to picket."

It seems to me from the reading of this bill, if I desired to further the cause of some labor organization having a dispute with its employer at plant "A", I get myself a picket sign and march up and down the picket line; I too may be guilty of an unfair labor practice and could be restrained. I do not think the drafters of this bill intended that to be the result but I am afraid that the courts might so construe it. Certainly that is a definite infringement upon my right of freedom of speech. When we stop people who have a legitimate interest, even though they are not employed at the plant, from marching up and down and making known to the public the fact of a grievance, then we are going pretty far, and if we pass this bill today I think it will be one of the blackest moments in the history of Pennsylvania labor.

There is no necessity for this bill, in my opinion. If it is your desire to remove violence in picketing you won't do it in this manner. There will be just as much or just as little violence, intimidation and so forth in picketing in the future if you pass this bill as there has been in the past, this won't affect it at all. I am as bitterly opposed as any citizen of the Commonwealth to violence and unlawful picketing. The law now forbids that. It should not be allowed to be done, but certainly by saying to the people who work in plant "A" "You cannot picket there," is not going to correct that situation.

I do hope that you will vote against this bill.

Mr. COLE. I rise to protest against the passage of this bill. This bill will make it an unfair labor practice for a member of a union that has industry wide bargaining contracts to go over and help out at the next plant, mine or mill. That right is one of the basic rights under our Constitution and bill of rights, and I do not believe that this Assembly should have the right to destroy those rights. The business of labor organizations is to organize men into collective bargaining units, and surely we have the right to use every legitimate means at our command to accomplish our purpose. Business has every right to use every economic means at their disposal to get what they want. So why should labor be denied the same right? Back in the mining industry we still would be serfs today if we had been denied the right to picket. In some of the mines we do not need any picketing, but over at the next mine they bring in strike breakers and they may need some help, and I think we have every lawful right as a labor union to go over there and help those boys out.

The history of the labor movements has shown that industry wide bargaining is the best way to peace in the industry because under industry-wide bargaining every employer in every plant must come under the same working conditions and pay the same rates of pay. Under that system you cut out the system of cut-throat competition. I remember back in the dark days before we had organization in the coal field, I know of a group of operators who held a meeting. They comprised half of one state, and in that meeting they decided that they would sell their coal for one dollar and sixty cents a ton, and that no man could sell under that price. Before that meeting was over the largest operator in the group went out and told his broker to sell coal at one dollar and fifty cents a ton. What was the result? The next company came along and sold its coal for one dollar and forty-five cents and the next one went down to one dollar and forty cents and so down along the whole line, and the first thing you knew they were selling coal below cost. Labor has to take the rap.

Mr. Speaker, the only way we corrected that condition was through the long struggle that the United Mine Workers put over during a good many years in trying to get the Bituminous Coal Act passed in the National Congress. Under that act and through the unionization of the industry on a nationwide basis, and the fact that we have industry wide bargaining contracts, that industry has become stabilized.

So, Mr. Speaker, if industry wide bargaining is the road to industrial peace, I see no reason why the laboring man or union man should not be allowed to go over there

and help the man out at the next plant who is having trouble. I think it is only neighborly, it is only just, it is only right. I think the bill as a whole is un-American and I think it is one of that pattern of bills that have been introduced to go down the whole line to bust organized labor in America and once you do that you are going back to the same conditions that I pictured to this House the other day on another bill. Therefore I ask you to defeat this bill.

MR. BRUNNER IN THE CHAIR

Mr. SORG. Mr. Speaker, I simply want to say that I submit this bill is constitutional with the police powers and regulations wherein we have our greatest experiences involving breaches of the peace. This particular practice has been one just as obnoxious to the employees of one particular plant that do not desire it in the first instance, as it is to any other. Experience has shown that professional pickets are retained today usually from an entirely different vicinity and district. There is a very great tendency towards violence and for that reason I submit that this particular bill is constitutional under the police powers of the State.

Mr. ORBAN. Mr. Speaker, up to this point I have voted for all of the labor bills. So that the record may be clear I want to say that I am voting against this bill because I agree with the gentleman from Allegheny, Mr. Brown, that the act is unconstitutional.

Mr. GOFF. Mr. Speaker, regarding this non-punitive measure, under Article I of the Constitution of Pennsylvania, Section 7 it is provided:

"The free communication of thoughts and opinion is one of the invaluable rights of man and every citizen may freely speak, write and print on any subject."

Mr. Speaker, I ask that this bill be opposed because if it did concern labor, it is an infringement on the constitutional rights of every citizen in the State of Pennsylvania for the dissemination of information, for the exchange of opinion and for the wearing of a placard, if that is his way of telling his story, and I ask you to oppose this bill because it is an infringement upon every citizen's rights.

Mr. SORG. Mr. Speaker, I think we can possibly follow that theory to its logical conclusion. The right of assembly, that right of freedom of speech is a basic constitutional right, but to say that there are no exceptions whatsoever is a fallacy, because to say there are no exceptions to the right of assembly is to say that we could not stop a riot. To say that there is no exception to the right of free speech, is to say that we can commit libel and slander and nobody can stop us. This is one of those things which under the police powers can be established as an exception to the constitutional right.

Mr. BROWN. I must, Mr. Speaker, let the record show that we are cognizant of the statement that the gentleman from Elk makes. However, his statement is not correct, as stated, as a principle of law. This act abridges the right. The police powers of the state can only make reasonable rules and regulations, it cannot abridge the rights. This act abridges, it is a definite abridgement. It does not say anything in here about violence; it does not say anything in here about intimidation; it does not say

anything in here about riots. It is a complete abridgement. I submit to him as a man of great legal training that what we are speaking about is not an abridgement of the rights, and not a regulation of the rights, but this act is silent as to when the pickets can be restrained or be declared to be guilty of unfair labor practice. The very act of doing it, though no violence may occur, though no intimidation may be the result, though no duress may result, in my opinion, and I think it is the opinion of every lawyer in this state, would be an abridgement rather than a regulation.

Mr. ANDREWS. Mr. Speaker, I had not intended to take the floor on this measure, but the Majority Leader has announced the most unique principle or conception of law that I have ever heard expressed by an attorney who is admittedly as learned as he is. He presents to this House the novel proposition that it is in order to punish the criminal before the crime is committed, and since he has written into the record his views on this bill; that this bill is soundly constitutional, I want to write into the record my prediction that this bill will not stand tests of the courts.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

A verification of the roll was requested by Messrs. Chervenak, Petrosky and Evans.

The roll was verified and was as follows:

YEAS—127

Aaronson,	Gorman,	Lyons,	Rowen,
Baumunk,	Graybill,	Madden,	Royer,
Beech,	Greer,	Madigan,	Sax,
Bonawitz,	Griffiths,	McCosker,	Serrill,
Boorse,	Guthrie,	McCullough,	Smith, C. C.,
Bower,	Gyger,	McDonald,	Smith, C. M.,
Breisch,	Hall,	McKinney,	Sollenberger,
Brice,	Haller,	McMillen,	Sorg,
Brunner,	Helm,	Mintess,	Sproul,
Cadwalader,	Henry,	Mohr,	Stimmel,
Clevenger,	Hewitt,	Moore, C. E.,	Stockham,
Cook,	Hocker,	Moore, H. A.,	Stonier,
Cooper,	Hoffman,	Murray,	Stuart,
Costa,	Hoopes,	Myers,	Tittle,
Davison,	Imbt,	Neff,	Tompkins,
De Long,	Jennings,	Nelson,	Toomey,
Dennison,	Johnson,	O'Dare,	Turner,
Depuy,	Jones,	O'Donnell,	Upshur,
Dix,	Jump,	Patten,	Vaughan,
Dye,	Kean,	Pickens,	Wagner,
Elder,	Kelley,	Price,	Walton,
Ewing,	Kent,	Probert,	Watkins,
Feola,	Kline,	Ragot,	Watson,
Fish,	Kohl,	Reagan,	Wescott,
Fiss,	Kratz,	Reese, D. P.,	Wolf,
Flack,	Kurtz,	Reilly, J. M.,	Wood,
Fleming,	Laughner,	Reilly, W. J.,	Worley,
Foor,	Layer,	Richter,	Yeakel,
Frost,	Lee,	Riley,	Young,
Gallagher,	Leisey,	Robbins,	Lichtenwalter,
Gibson,	Livingston,	Robertson,	Speaker.
Goodling,	Loftus,	Rose,	

NAYS—59

Andrews,	Crowley,	Miller,	Scott,
Bane,	Dague,	Mills,	Shoemaker,
Barrett,	Dairymple,	Mooney,	Snider,
Bender,	Demech,	Morrison,	Stank,
Bentzel,	Efenberg,	Najaka,	Swope,
Bloom,	Erb,	Needham,	Thomassy,

Boles,	Evans,	O'Connor,	Thompson,
Brown,	Getchey,	O'Neill,	Verona,
Bucchin,	Goff,	Orban,	Wachhaus,
Capano,	Kemp,	Petrosky,	Waldron,
Chervenak,	Kirley,	Pichney,	Weidner,
Chudoff,	Livingstone,	Polaski,	Wheeler,
Cochran,	Lovett,	Powers,	Yester,
Cole,	Mazza,	Readinger,	Yetzer,
Cordier,	Mikula,	Reese, R. E.,	

NOT VOTING—19

Cassidy,	Krise,	Sarraf,	Trout,
Greenwood,	McCormack,	Scanlon,	Wallin,
Haudenschild,	Mihm,	Schuster,	Waterhouse,
Horan,	Naumann,	Simons,	Weiss,
Johnston,	Root,	Tahl,	West,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 78, as follows:

An Act to further amend clauses (k) (s) and (y) of section four and to reenact and further amend section three hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six 1937 (P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payments of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined and for a lag between the period on which contribution rates are based and the rate period and placing experience rating on a permanent basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (k) (s) and (y) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) are hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * *

(k) "Employer's Experience" means a percentage obtained by dividing the "Wages of a Compensated Em-

ploye" as defined in subsection (y) of this section paid by an employer to all of his compensated employes during the [last three calendar years] first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contributing rate is applicable less any credit for reemployment with respect to benefit years ending prior to the first day of June one thousand nine hundred and forty-five which was credited to the employer during such [three calendar years] twelve (12) calendar quarters by the total wages paid by the employer to all his employes during such [three calendar years] twelve (12) calendar quarters. Credit for reemployment previously allocated to a calendar year shall be deemed to have been allocated as of the last two calendar quarters of such calendar year

* * * * *

(s) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund less any refunds (including the repayment and recovery of compensation erroneously paid) made to such fund during the [last three completed calendar years] first twelve (12) of the last fourteen (14) completed calendar quarters immediately preceding the calendar year which includes the calendar quarter to which the contribution rate is applicable by the total wages of all compensated employes as defined in subsection (y) of this section for such [three calendar years] twelve (12) calendar quarters such percentage to be adjusted to the nearest multiple of one per centum

* * * * *

(y) "Wages of a Compensated Employee" with respect to each benefit year which begins prior to the first day of June one thousand nine hundred and forty-five means wages which were paid to the compensated employee by an employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar [year] quarter in which the first compensation of the employee's benefit year was paid and with respect to each benefit year which begins subsequent to the thirty-first day of May one thousand nine hundred and forty-five means the first one thousand three hundred and sixty-six dollars (\$1,366) in wages which were paid to the compensated employee by an employer of such employee in the base year immediately preceding the employee's benefit year and which wages shall be treated as though they had been paid in the calendar [year] quarter in which that amount of compensation was paid which together with any amounts of compensation previously paid with respect to such benefit year equals at least three times the employee's weekly benefit rate

Section 2 Section three hundred one of said act as last amended by the act approved the twentieth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby reenacted and further amended to read as follows

Section 301 Contributions by Employers Experience Rating.

[(a) Each employer shall pay contributions equal to the following percentages of wages paid or payable by him or it with respect to employment occurring prior to the first day of January one thousand nine hundred and forty-two

(1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

(2) One and eight-tenths per centum with respect to employment occurring during the calendar year 1937

(3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 and 1941

(b) Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him or it with respect to employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one. Provided That notwithstanding the provisions of this section prior to the effective date of

this amendment with respect to wages paid during the calendar year one thousand nine hundred and forty-four for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during the calendar year one thousand nine hundred and forty-five for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted according to the provisions of this act prior to the effective date of this amendment and Provided further That with respect to wages paid during the calendar year one thousand nine hundred and forty-six for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one and with respect to wages paid during each calendar year thereafter for employment occurring subsequent to the thirty-first day of December one thousand nine hundred and forty-one such percentage may be adjusted between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with the following provisions of this section if the employer had paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable. Notwithstanding the provisions of section three hundred eleven any employer who prior to the enactment of this amendment may have paid contributions on wages paid during the calendar year one thousand nine hundred forty-four or one thousand nine hundred forty-five for employment occurring prior to the first day of January one thousand nine hundred forty-four at a rate of two and seven-tenths per centum such employer shall not be entitled to a refund of any portion of such contributions paid on the basis that this amendment reduces the amount of contributions required to be paid with respect to such wages but such employer may make application for adjustment in connection with subsequent contribution payments as provided in section three hundred eleven of any amount which he has paid with respect to such wages which is in excess of the amount of contributions required to be paid with respect to such wages under the provisions of this act as amended. Except as specifically provided under section four hundred and four wages paid with respect to employment performed under Shipping Articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employee]

(a) Each employer shall pay contributions with respect to the calendar year one thousand nine hundred forty-eight and each calendar year thereafter at a rate equal to two and seven-tenths per centum of wages paid by him for employment provided however that such rate shall be adjusted in accordance with the following provisions of this section if the employer has paid contributions under this act for one or more quarters in each of the five calendar years immediately preceding the year for which the rate is applicable

(a.1) Except as specifically provided under section four hundred four wages paid with respect to employment performed under shipping articles shall for the purposes of this act be considered as having been paid as of a date determined under rules and regulations of the department irrespective of when actual payment was made to the employee

(b) Each employer with respect to any period prior to the first day of January one thousand nine hundred forty-eight shall be liable for contributions in accordance with the provisions of this act applicable to each period in effect prior to the effective date of this amendment and for these purposes such provisions shall remain in force and effect

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year [commencing with the year one thousand nine hundred and forty-four] shall be determined prior to the due date of his first con-

tribution for the year in accordance with the following table

TABLE

State Experience	Employer's Experience			
	Col 1	Col 2	Col 3	Col 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25
11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10

Rate of Contribution	1%	1.5%	2%	2.5%
----------------------	----	------	----	------

(d) An employer's rate of contribution for each calendar year [commencing with the calendar year one thousand nine hundred and forty-four] shall be subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there [first] appears [a] the percentage [equal to or in excess of] nearest to the Employer's Experience. Provided That the rate of contribution of any employer whose Employer's Experience is in excess of the percentage appearing in column four on the line opposite the State Experience shall be two and seven-tenths per centum and Provided further That if the Employer Experience of any employer computed to an infinite number of decimal places is exactly equally removed from two percentage figures which appear on the line opposite the State Experience the rate of contribution of such employer shall be the rate specified at the end of the column in which appears the higher of such two percentage figures [If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenth per centum]

(e) No employer's rate of contribution for any calendar year [commencing with the calendar year one thousand nine hundred and forty-four] shall be less than two and seven-tenth per centum unless all his contributions due on wages paid to the end of the [third] second calendar quarter of the preceding calendar year together with interest and penalties due thereon have been paid by the thirty-first day of December of such preceding calendar year [and all his contributions on wages paid during the fourth calendar quarter of the preceding calendar year have been paid when due]

(f) Safety factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter [commencing with the calendar quarter ending the thirty-first day of March one thousand nine hundred and forty-four] the balance in the Unemployment Trust Fund to the credit of the Commonwealth of Pennsylvania is less than eight and one tenth per centum of the total wages of all employees paid during the first four of the last five computed calendar quarters as reported to the department by the end of the last completed calendar quarter immediately preceding the calendar quarter at the end of which such adjustment is to be made

Employer's Rate of Contribution determined in accordance with paragraph (d)

Balance in fund

Employer's adjusted rate of contribution on wages paid during the calendar quarter at the end of which the adjusted rate is computed

	1%	1.5%	2.0%	2.5%	2.7%
8.1% or more	1.1	1.6	2.1	2.6	2.7
8.0% and less than 8.1%	1.2	1.7	2.2	2.7	2.7
7.9% and less than 8.0%	1.3	1.8	2.3	2.7	2.7
7.8% and less than 7.9%	1.4	1.9	2.4	2.7	2.7
7.7% and less than 7.8%	1.5	2.0	2.5	2.7	2.7
7.6% and less than 7.7%	1.6	2.1	2.6	2.7	2.7
7.5% and less than 7.6%	1.7	2.2	2.7	2.7	2.7
7.4% and less than 7.5%	1.8	2.3	2.7	2.7	2.7
7.3% and less than 7.4%	1.9	2.4	2.7	2.7	2.7
7.2% and less than 7.3%	2.0	2.5	2.7	2.7	2.7
7.1% and less than 7.2%	2.1	2.6	2.7	2.7	2.7
7.0% and less than 7.1%	2.2	2.7	2.7	2.7	2.7
6.9% and less than 7.0%	2.3	2.7	2.7	2.7	2.7
6.8% and less than 6.9%	2.4	2.7	2.7	2.7	2.7
6.7% and less than 6.8%	2.5	2.7	2.7	2.7	2.7
6.6% and less than 6.7%	2.6	2.7	2.7	2.7	2.7
6.5% and less than 6.6%	2.7	2.7	2.7	2.7	2.7
Less than 6.5%	2.7	2.7	2.7	2.7	2.7

(g) Successor-in-interest (1) Pursuant to rules adopted by the department an employer who prior to the first day of January one thousand nine hundred and forty-six acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contribution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organization trade or business acquired. Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired.

(2) An employer who subsequent to the thirty-first day of December one thousand nine hundred and forty-five transfers his or its organization trade or business in whole or in part to a successor-in-interest may jointly make application with such successor-in-interest for transfer of the "Employer's Experience" of the preceding employer to the successor-in-interest including credit for the years during which contributions were paid by the preceding employer. The department may allow such transfer of "Employer's Experience" pursuant to rules and regulations adopted by the department only if it finds that the "Employer's Experience" of the preceding employer with respect to the organization trade or business or part thereof as the case may be which has been transferred may be considered indicative of the future "Employer's Experience" of the successor-in-interest. In the event of a part transfer of an employer's organization trade or business only that portion of the "Employer's Experience" relating to the portion of the organization trade or business transferred shall be transferred and credit shall be given to the successor-in-interest only for the years during which contributions were paid by the preceding employer with respect to that part of the organization trade or business transferred. A transfer of "Employer's Experience" in whole or in part having been applied for and approved by the department the preceding employer thereafter shall not be entitled to consideration for an adjusted rate based upon his experience or part thereof as the case may be which has been thus transferred.

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragraph (f). The department shall furnish each employer with a statement showing the base year wages from such employer of each of his compensated employees and the benefit year to which such wages relate. The determination of the department shall become conclusive and binding upon the employer unless

within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor. The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing. The employer shall be promptly notified of the denial of his application or of the department's redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time.

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect. No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department. A copy of the petition shall be served on the secretary or his deputy. The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper. From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases.

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of the contributions at the rate as determined by the department. But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section three hundred eleven of this act or the employer may apply for a refund in accordance with said section.

(k) Each employer shall be given notice of the filing of applications for benefits by his former employes as provided in section five hundred one. Notice having been properly given as provided in such section no employer shall have standing in any proceeding involving his rate of contributions to contest the chargeability to his account of any wages of a compensated employe on the grounds that he was not given sufficient or adequate notice or opportunity to be heard.

[(1) The provisions of this section shall be effective only for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the Legislature which meets after the President of the United States declares that the present state of war no longer exists.]

(1) For purposes of determining whether or not an employer has paid contributions in each of the five calendar years immediately preceding the year for which a rate is applicable as provided in subsection (b) of this section in order to be eligible for consideration for an adjusted rate an employer who shall have served in the active military or naval service of the United States at any time after the sixteenth day of September one thousand nine hundred and forty and prior to the termination of the present war and who shall have been discharged or released from active service under conditions other than dishonorable shall be deemed to have paid contributions under this act during any calendar year any part of which is included in such period of military or naval service provided that he has actually paid contributions under this act for one or more quarters in either the calendar year in which he entered such military service or in the immediately preceding calendar year.

Section 3 The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. RUSSELL E. REESE. Mr. Speaker, Senate Bill 78, which makes permanent the merit rating system of the Unemployment Compensation Act, definitely works a hardship upon the men and women that are employed in industry throughout this Commonwealth.

The reason I make this statement is because this Merit Rating Act removes the burden of proof from the employer and places the responsibility of the burden of proof upon the employee.

I have personal knowledge that in most cases where an employee applies for Unemployment Compensation, that the employer, with rare exception, files a notice with the local employment office disputing the claim. The claim is ordinarily disputed upon general principles, but the objective of the employer is to prevent an increase in his Unemployment Compensation contribution rate.

I can cite you a glaring example of hardship and inequality of this legislation. Most of you recall that about a year ago an alleged strike occurred in the bituminous coal industry in western Pennsylvania. The alleged strike was caused indirectly by the attempted organization of the Mine Foremen, Assistant Mine Foremen and Fire Bosses. When these executive officials refused to perform the duties of their position their very act automatically prevented the rank and file of the membership of the United Mine Workers from entering the mines and performing the duties of their occupation, for had they entered the mines without them being duly inspected by competent and qualified officials as required by the bituminous mining laws of this Commonwealth each and every one of them would have been subject to indictment and prosecution. Therefore, the rank and file that mine the coal were deprived of their employment. They naturally applied for their unemployment compensation which was justly due them, and which I believe was justly due them, at the local unemployment office. The employer, without exception, objected to the payment of this unemployment compensation insurance and their objection was natural as they wanted to prevent any increase in their contribution rate.

The miners appeared at a hearing before a referee who was in most cases prejudiced in favor of the employer and they naturally received an adverse verdict from this tribunal which was set up by the Bureau of Employment and Unemployment Compensation. The miners then carried their appeal to the Board of Review, and many of them went to great expense to attempt to collect what was justly due them, but they were without success.

Now, here we are, here is the picture. The employee ordinarily and without exception must convince a prejudiced referee, face a barage of legal talent which is hired by the coal companies to protect their unemployment compensation rate, and we must all remember that the rank and file of the coal miners are ordinary laymen and without advantage of a higher or legal education and in order for them to collect what is justly due them they must engage the services of attorneys, and we must all assume that they are not going to the expense of hiring

legal council to collect a mere \$22 per week for unemployment compensation insurance.

I reiterate my position when I say that by passing this legislation you are in reality defeating the original intent of the Social Security Act and the Unemployment Compensation Insurance Act which was originally passed in Pennsylvania at the Special Session of 1937.

Mr. LOVETT. Mr. Speaker, I sympathize with the boys in the House of Representatives, and I don't know why I should because you continually ask for this thing. I have insisted since I have been here that you do not do this very thing. You save these bills and you put them in here and you know that they are controversial and that we are going to take up the time of the House. It could have been just as easy to have scattered these bills throughout different days of the session of the Legislature and give everybody a fair break and nobody would have had to stay here any long period of time. Exactly what happens is this, that is part of the scheme and that is what is tearing down democracy. You fellows are continually "hollering" about democracy and why we have democracy. You create it right here in the House of Representatives when you stoop to this kind of maneuvering.

We could debate this bill for a half-a-day if we wanted to be unfair with the Members of this House. I realize that there are only a few on that side or on this side, when we are in control, that manipulates this kind of maneuvering. I know that there are men on this side of the House who are going to vote for Senate Bill 78. I realized that when I got up here, but I say honestly to you that we have a right to debate Senate Bill 78. We are sent here by our constituents to get up here and make our statements. It is not easy to get up. I have continuously asked you fellows on the other side and on this side, "Get up and have your say." I realize it is not popular. A lot of fellows here are hungry and they are tired. That is the game and that is what they want to do—they want to make you tired. I referred to Senate Bill 78 during a debate on one of the other bills. The labor unions are against Senate Bill 78 and they are against it for the same reason that I explained to you just a few minutes ago, that as long as you have merit rating this fund is not going to get too big, and even these fellows that would be better off, if we did not have the merit rating, at least they would be treated on an equal basis and they would not have to pay any more tax than anybody else. That is the reason why to my knowledge all labor organizations are against this particular Senate Bill.

Now Mr. Speaker, to my mind this is a social question—unemployment compensation. No man voluntarily lays men off. I have too much confidence in the manufacturers or the people who employ labor in Pennsylvania to think that these employers of labor just lay men off. I don't think that is true. If they do not do that then what is the need for the Bill?

I say to you on the other hand that they do not keep men when they do not have any work for them. That would be just as foolish.

Senate Bill 78 to my mind is an insurance proposition. You and I carry automobile insurance on our cars. We never want to have an accident and we are tickled to death if we never have one, but the money that we pay in, if we never have one, goes to benefit the one that

does have one. You may belong to organizations in industrial plants in which you pay money for health and sick benefits. You are tickled to death to pay money into the fund and never receive any benefits as long as you benefit the man that does get benefits or the man that needs your help.

That is the reason, Mr. Speaker, why I oppose this bill. We are sending millions of dollars out of the country to foreign countries to build a democracy in those countries. I say to you that as long as the money stays in the United States I worry not, but when you send it out be careful. As long as the money goes into this fund and stays here in the United States for the protection of our people here, I have no worry, but when you send it out of the country that is different. So for the life of me I cannot see why there should be penny pinching on this little employer who keeps one or two people employed continuously, and you should not holler about the few miserable cents that he pays into the unemployment insurance fund to protect the employer who through no fault of his who cannot keep his employees working, because I say if he could he would keep them working.

For that reason we should not pass Senate Bill 78. I say to you that the revenues that are paid to the man that is unemployed help to keep the man employed who keeps his employees working continuously. After we passed this bill the first time—I was here in the session of the Legislature when we enacted unemployment compensation, I had a milkman in my community who said to me, "Why should I pay unemployment for my men? I never lay them off, I keep them working the year around." He said, "I haven't any need for this." I said to that gentleman, "do you deliver milk in this community?" He said, "yes." I said, "Suppose there is a little depression comes along and the plant down here lays off their employees." I said, "Do you get your check as long as they get unemployment compensation when you deliver the milk to the door?" "Well," he said, "I suppose I've got a better chance of getting it if they have unemployment compensation than I would if they didn't." There again I say to you that man benefits because he did get at least a part of his milk bill as long as the man was receiving unemployment compensation. I say to you, Mr. Speaker, that the penny pinchers who refuse to pay an equal share into the unemployment compensation that we may keep the wheels of industry moving in Pennsylvania, are penny pinching and they are standing in their own light.

I hope that you can see the other side of this question. I have no fault to find if you enact legislation like the State of New York in which they gave to every employer after the fund got to a certain amount, but you do not see fit to do that in this legislation. You in Pennsylvania see fit not to equalize the payment into the fund after it gets to a certain point. Let me say to you that since this fund has been in existence there has never been a time when we had any test as to the amount of money and how far that amount of money would go if we would get a depression like we did in 1930 or 1932.

Under merit reading as we have passed it we haven't had unemployment, and you don't know, I don't know and nobody knows how much money will be needed in the unemployment compensation fund if we should

happen to take a tail-spin, and it looks as though it is coming—we don't know just how far the unemployment compensation fund will go and how long it will last. I hope that does not happen and I say to you honestly that we should consider both sides of this question and treat all of the people fair and square and defeat Senate Bill 78.

Mr. ANDREWS. Mr. Speaker, I am not particularly concerned how tired the members are. I am "tired" than they are. I swim against the current; they float with the tide. A great excuse they have for being tired. They don't have to think. All they do is vote. My God, what a good time I would have over here if all I had to do was vote.

Mr. Speaker, the gentleman from Westmoreland spoke about penny pinching. In that one respect he was in error. We are now entering the realm of big business to the tune of hundreds of million of dollars. Now, relying upon that eminent economic authority, The Majority Leader, John Q. Public in the end pays. Now, you have got to take that, Members, because your Majority Leader says so. He says that all these levies in the end the public pays. So unemployment compensation taxes as they are called or contributions have not cost the employer a penny. They have been reflected in the price as a part of the cost of production, and the cost of production has been based upon 2.7. The prices charged by Pennsylvania producers are based upon the theory that compensation costs the employer 2.7. Now if in the case of particular employees you can reduce the rate from 2.7 to 1.7, that employer benefits. He charges just as much for his product and he benefits by that much because the 2.7 rate is in the fund.

Will newspapers reduce their advertising rates or their subscription prices because unemployment compensation is reduced? They will not but they will benefit to the tune of hundreds of thousands of dollars. Will banks reduce the cost of their services? Will any of the other business enterprises reduce the cost of their services because we reduced the cost of unemployment compensation? They will not. If we reduce the cost of unemployment compensation they simply put the money on the profit side of the ledger. How much money during the last three years have they as a result of a reduction in compensation costs placed upon the profit side of the ledger? They have placed over two hundred and fifty million dollars on the profit side of the ledger which is clear profit, and that is what this bill is worth to certain industries, which say they have stabilized their employment. To make it worse, these stabilized industries profit at the expense of the seasonal industries and the industries in which there is a pronounced labor turn over.

There are two theories with regard to unemployment compensation, as I pointed out. One is that the burden of unemployment compensation should be borne by society as a whole levying on society through industry. There is another theory that this burden should be sub-divided in small compartments, that the newspapers should be responsible only for their labor turnover, that the banks should be responsible only for their labor turnover, that professional people should be responsible for the turnover in their personnel, and that the heavy production industries or other industries should be responsible for their labor turnover. Any way you figure a reduction in un-

employment compensation rates from the 2.7 level is a contribution to the employers' profit account. You cannot escape that theory.

Now, why do we have the proposal at all before this House? It is convenient to certain business enterprises in the state that they have received what is in effect a refund in the last three years totalling more than two hundred and fifty million dollars. That is convenient. It is a sizeable sum of money, but the real object is to prevent the unemployment compensation fund from reaching a level where there will be a legitimate excuse for demanding an increase in the unemployment compensation rate, from twenty to twenty-five dollars or twenty-six dollars.

Now, you say, "No, no, you must not go above twenty." I ask you where in your economy then you are going to store reserve buying power. If you don't store reserve buying power in the unemployment compensation fund you have got to store it somewhere else. In your economy at the present time the only place for storing reserve buying power is in the profit account of our substantial businesses, because you are not now storing a reserve buying power in the pockets of the employees of this Commonwealth.

Those, my friends, are the economic reasons why we oppose this bill. Other speakers have said that they hope that you will vote this bill down. I am under no illusion upon that point. You are going to vote this bill across. We will win this argument on the basis of the facts and we will lose it on the basis of the vote, but, thank goodness, whether the Democrats are in power or whether the Republicans are in power, there is always an appeal to a higher tribunal. So in all this program that you have enacted today we take our position, and in closing I can only say that if we in caucus had been deliberately planning your future confusion, we could have devised no program that would do more harm than the one which you have this day so successfully put across.

Mr. SORG. Mr. Speaker, I just want to briefly state the reasons why we are going to vote for Senate Bill 78. This is not for the purpose of providing funds with which employers will have the possibility of reduced prices. We are only asking a continuance on the present cost basis, and if we do enact this particular measure there still won't be any millions of dollars with which to accomplish that purpose. We propose to maintain ourselves on the same basis.

The second reason we do so, is because there is one serious matter that we must take into consideration in dealing with our productive capacity in Pennsylvania, and that is the matter of competition. If our costs of production in Pennsylvania are going to be higher than in all of the other states that do have unemployment compensation, I don't know what is going to happen to us here in Pennsylvania.

Mr. Speaker, I want to state third, that there has not been any reference made to the safety factor in this particular measure. If the fund should become rapidly depleted, or if it gets to a point where it reaches the normal average necessary in the fund to meet a recession, then this merit rating provision automatically goes out. There is one more point there and one more reason which we desire to advance. There is at the present time one hundred and thirty-two million dollars more

in the fund than is recognized by the federal social security authorities as a safety margin for said fund.

Mr. PETROSKY. Mr. Speaker, we now come to the last series of proposals that have been placed before the House. We are now discussing a bill of goods that has been sold to the administration and to the membership on the other side of the House by the Pennsylvania Manufacturers' Association. I submit to the Membership that if there ever was a package bill presented this is that package.

Primarily of course I am interested in the measure that is before us as a social and humane measure, and I submit to the Majority Leader and to the Members on the Republican side of this House that in the event you are so interested in behalf of the worker of Pennsylvania, why not take cognizance of the action that was finally acted upon by the Congress of the United States in 1946 and liberalize the act under the setup as the employers contribute and give to the unemployed worker under this social measure that which he deserves, and give him what the federal act has set up for the railroad workers in this Commonwealth and for the entire nation. They have given to the railroad employes of the Commonwealth of Pennsylvania benefits for a period of 130 days at twenty-five dollars per week. They also have put into their act a provision which will become effective July 1st, of this year that they will receive 130 days additional benefits for sickness, and that of course is in answer to the Majority Leader's statement that he knew of no act wherein they give you the benefits that are derived due to sickness.

Then again, I say that in Senate Bill 78, you are penalizing the great basic industries that we have in the Commonwealth of Pennsylvania in order to subscribe to a program that has been offered by other industries within this Commonwealth that depend to a great extent on those great basic industries. The earning power of the workers depends for their existence on a business-like management of our economic system in the Commonwealth of Pennsylvania.

I say to the membership of the House that the program that you have enacted so far, I believe, as the Minority Leader said that you will enact that proposal, but it will not do that which you claim it will perform, and you will create a confusion such as you have never seen before in labor circles of Pennsylvania. You will not destroy organized labor and our people of this Commonwealth and this nation, you will not deprive them of the freedom they so much desire, you or no one else can take it away from them. They will try to forge ahead despite the program that you are undertaking to put over through this bill that you are enacting.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

A verification of the roll was requested by Messrs. Petrosky, Evans and Cole.

The roll was verified and was as follows:

YEAS—141

Aaronson,	Gorman,	Madden,	Scott,
Baumunk,	Graybill,	Madigan,	Serrill,
Beech,	Greer,	McCosker,	Shoemaker,
Bloom,	Griffiths,	McDonald,	Smith, C. C.,

Bonawitz,	Guthrie,	McKinney,	Smith, C. M.,
Boorse,	Gyger,	McMillen,	Sollenberger,
Bower,	Hall,	Mintess,	Sorg,
Breisch,	Haller,	Mohr,	Sproul,
Brice,	Helms,	Moore, C. E.,	Stimmel,
Brown,	Henry,	Moore, H. A.,	Stockham,
Brunner,	Hewitt,	Murray,	Stonier,
Cadwalader,	Hocker,	Myers,	Stuart,
Clevenger,	Hoffman,	Neff,	Swope,
Cook,	Hoopes,	Nelson,	Thomassy,
Cooper,	Imbt,	O'Dare,	Tittle,
Cordier,	Jennings,	O'Donnell,	Tompkins,
Costa,	Johnson,	Orban,	Toomey,
Davison,	Johnston,	Patten,	Turner,
De Long,	Jones,	Pickens,	Upshur,
Dennison,	Jump,	Price,	Vaughan,
Depuy,	Kean,	Propert,	Verona,
Dix,	Kelley,	Ragot,	Wagner,
Dye,	Kemp,	Readinger,	Waldron,
Efenberg,	Kent,	Reagan,	Walton,
Elder,	Kline,	Reese, D. P.,	Watkins,
Ewing,	Kohl,	Reilly, J. M.,	Watson,
Feola,	Kratz,	Reilly, W. J.,	Weidner,
Fish,	Kurtz,	Richter,	Wescott,
Fiss,	Laughner,	Riley,	Wolf,
Flack,	Laver,	Robbins,	Wood,
Fleming,	Lee,	Robertson,	Worley,
Foor,	Lelsey,	Rose,	Yeakel,
Frost,	Livingston,	Rowen,	Young,
Gallagher,	Livingstone,	Royer,	Lichtenwalter,
Gibson,	Loftus,	Sax,	Speaker.
Goodling,	Lyons,		

NAYS—42

Andrews,	Dalrymple,	Miller,	Polaski,
Bane,	Demech,	Mills,	Powers,
Barrett,	Erb,	Mooney,	Reese, R. E.,
Bentzel,	Evans,	Morrison,	Snider,
Bucchin,	Getchey,	Najaka,	Stank,
Capano,	Goff,	Needham,	Thompson,
Chervenak,	Kirley,	O'Connor,	Wachhaus,
Chudoff,	Lovett,	O'Neill,	Wheeler,
Cochran,	Mazza,	Petrasky,	Yester,
Cole,	McCullough,	Pichney,	Yetzer,
Crowley,	Mikula,		

NOT VOTING—22

Bender,	Horan,	Sarraf,	Trout,
Boies,	Krise,	Scanlon,	Wallin,
Cassidy,	McCormack,	Schuster,	Waterhouse,
Dague,	Mihm,	Simons,	Weiss,
Greenwood,	Naumann,	Tahl,	West,
Haudenshield,	Root,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

REASONS FOR VOTE

Mr. READINGER filed the following reasons for his vote:

I am voting "Aye" on Senate Bill No. 78, Printer's No. 338, for the reason that merit rating has not, during its operation in Pennsylvania, prejudicated the solvency of the Unemployment Compensation Fund, nor has it prevented the payment of compensation of any proper claim.

Research clearly indicates that the Fund, with the "safety valve" clause as included in the Bill, will remain solvent and adequate.

There seems to be no point to collecting many millions of dollars to be added to the Fund under a flat 2.7 rate, when it has been demonstrated that these funds are not necessary to carry out the purpose of the Fund.

When merit rating was new, many appeals were filed

by employers under a mistaken idea of the meaning of the law. This misunderstanding has now been fairly well eliminated and appeals will, in my opinion, be restricted mainly to cases involving a factual dispute, in the future.

MR. STOCKHAM IN THE CHAIR.

CONGRATULATORY RESOLUTION

Messrs. ANDREWS, CADWALADER, COSTA and CHARLES C. SMITH offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted by a rising vote.

In the House of Representatives, May 21, 1947.

Whereas, The party given last night by Speaker Franklin H. Lichtenwalter at the Moose Hall in this fair city was a lively evening's entertainment if ever there was one; and

Whereas, The buffet supper with accompanying liquid refreshments satisfied palates and thirsts of all and sundry; and

Whereas, The music furnished by the eight piece Kulowitch-Reinsmiths orchestra, featuring Marine veteran Norman Flores as vocalist and piano player, "Tiny" Kulowitch as M. C., and Pennsylvania Dutch songs, kept the party in a mellow mood; and

Whereas, The added attraction of the delivery by the host himself of a special colloquial song dedicated to and sung for the benefit of Hi Andrews not only further enlivened the affair but will keep many in suspense to the end of their days as to what sweet message it contained; and

Whereas, The party's success was further assured by the personage in attendance, among whom were no less than Governor James H. Duff and Miss Florida of 1938 (now Mrs. John J. Vaughan); and

Whereas, Everybody had a hilarious good time; therefore, be it

Resolved, That the members of this House of Representatives hereby extend to their Speaker their thanks and appreciation for the party given in their honor and compliment the program of music and entertainment arranged therefor; and be it further

Resolved, That a copy of this resolution shall be transmitted to both Speaker Lichtenwalter and the "Tiny" Kulowitch of Allentown on behalf of his orchestra.

THE SPEAKER (Franklin H. Lichtenwalter)
IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia and the Members of the House for their kind consideration in presenting this resolution and having it adopted.

I want to state that if the Members of the House and employees and friends who were present had a good a time as the Speaker had in arranging it, then everybody had a very enjoyable evening.

I might say also to the Members that they will recall on the passage of one bill where all of the Members of the House, because of their unanimous vote, were all made members of the Democratic Clubs throughout the State of Pennsylvania over the signature of the Minority Leader and the Democratic Leaders of Pennsylvania. I wish to state here and now that all of the Members who were present last night, particularly the Minority Leader, to whom we dedicated the Pennsylvania Dutch Song are hereby made members of the Pennsylvania Dutch Society of Pennsylvania.

The Chair thanks the gentleman from Bucks, Mr. Stockham, for presiding.

Mr. ANDREWS. Mr. Speaker, after that mention perhaps I should start singing "Old Frank Lichtenwalter had a farm, and on that farm there was a cow". But Mr. Speaker, I wish to express my appreciation to the Majority Leader and the Members of the majority group and to the Speaker for the consideration accorded the minority during the discussion of the program which has just been enacted.

No one is more conscious than I of the powers of the majority to limit discussion. I am glad that you did not exercise that power. This has been a really creditable afternoon. No tempers were snapped, there has been no belligerency; we have approached these problems from our respective party standpoints, so again I wish to express my appreciation to the leadership of the House for the privileges and consideration that have been accorded a very small, but sometimes extremely vocal minority.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DALRYMPLE asked and obtained permission for the Committee on Elections and Apportionment to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 643, as follows:

An Act to amend sections four hundred two four hundred nine four hundred fifteen and four hundred nineteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revisor: consolidating and changing the law relating thereto" by increasing the fee for nonresident fur buyers' permits revising the requirements with reference to tags attached to shipments of propagated game and propagated furbearers and changing penalties.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revisor: consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 402 Application for Permits Any person firm association or corporation desiring a permit as provided for in this article shall present an application therefor on forms supplied by the commission and shall pay to the director five dollars except in the following cases Taxidermists desiring to practice taxidermy for profit shall pay twenty-five dollars fur dealers who have resided permanently in this Commonwealth for the preceding twelve months or more purchasing or receiving raw furs for commercial purposes shall pay ten dollars nonresident fur dealers purchasing or receiving raw furs for commercial purposes in this Commonwealth shall pay [fifty] one hundred dollars persons desiring to operate regulated shooting grounds shall pay twenty-five dollars for the first one hundred acres in the tract so used and five dollars for each additional one hundred acres or fraction thereof and breeders and dealers in ferrets or fitches shall pay twenty-five dollars

The application shall be accompanied by the written statement of at least two well-known citizens of the community in which the applicant resides certifying to his

good character and to his fitness to be entrusted with the authority granted by such special permits

In the case of applications for permits by firms associations or corporations the application shall bear the name of the president or general manager and the permit shall be issued in his name. All applications for propagating permits and regulated shooting grounds permits shall be accompanied by a written description and a map or sketch of the premises to be used for such purposes with the location thereof

Section 2 Section four hundred nine of said act is hereby amended to read as follows

Section 409 Disposing and Removing Game from Propagating Premises Where game of any kind is raised or eggs of game birds are produced on premises under authority of a propagating permit such game or eggs may be sold or given away and such game may be shipped alive from said enclosure for propagating purposes or may be killed in any manner within said enclosure for sale or gift without regard to sex or numbers at any time of the year under the following regulations but no small game may be killed by shooting within such enclosure except in accordance with the provisions of this act or regulations adopted by the commission governing the taking of such game in a wild state

Before any live game of any kind raised under authority of any propagating permit is shipped out of the Commonwealth it must be offered to the commission for propagating purposes and the director shall within ten days advise the permittee whether it desires to purchase the same. If not purchased by the commission it may be shipped to any other state or nation if properly tagged as herein-after provided. Game so raised when dead may be shipped anywhere if tagged properly

Before any game propagated or eggs produced under authority of any propagating permit are shipped or removed from any premises the permittee shall apply to the commission for a tag printed in triplicate and numbered serially which shall be supplied at cost. Said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of game or eggs shipped or removed prepared in triplicate and shall supply the information required thereon. The original of the tag shall be attached to the container or the bird or animal

[The other part of the tag containing the information required shall immediately be returned to the commission by the permittee]

One copy of the tag shall be returned to the Commission by the permittee within five (5) days following the transaction the other copy thereof shall be retained by the permittee for a period of two (2) years

The tag attached to a container or bird or animal shall so remain until the eggs are removed from the container or the living bird or animal is released from the container or the dead body of any bird or animal is cut up for retail purposes or final consumption at which time the tag shall be removed by the person receiving the eggs or finally disposing of the bird or animal [and shall at once be forwarded to the commission]

It is unlawful for any permittee or his agent or employe to neglect to return to the commission any tag with the information thereon required or to fail or neglect to retain the copy required of him or to kill sell give away remove or ship any game bred or so raised or eggs of game birds produced under the authority of any propagating permit except in compliance with the provisions of this section

[It is unlawful for any person to neglect to remove and return to the commission any tag attached to any container or to any bird or animal except in compliance with this section]

It is unlawful for any person wilfully or wantonly to remove or mutilate or destroy any tag attached to any container or bird or animal according to the provisions of this section except in the manner and at the time and place provided for in this section

It is unlawful for any person to wilfully use any tag of

the kind provided for in this section for the carrying removal or shipment of game or the eggs of game birds taken or killed outside of premises used for propagating game under authority of a permit or for the purpose of a second shipment of game or eggs from any such premises

Section 3 Section four hundred fifteen of said act is hereby amended to read as follows

Section 415 Disposing and Removing Fur-Bearing Animals from Fur Farm Where fur-bearing animals of any kind are raised in pens or approved fenced enclosures under the authority of a fur-propagating permit they may be sold or given away and shipped alive or may be killed and pelted within said enclosure without regard to sex or numbers at any time of the year under the following regulations

Before any fur-bearing animals may be removed from the enclosure the permittee must secure from the commission a tag printed in triplicate numbered serially and containing pertinent information in reference to the transaction which shall be supplied at cost. Said tag shall be composed of two parts and when detached one part thereof containing the name and address of the purchaser and the kind and number of animals either alive or dead or pelts prepared in triplicate and the original thereof shall be attached to the container of the animals or pelts [The other part of the tag containing the information required shall be immediately] One copy of the tag shall be returned to the commission by the permittee within five (5) days following the transaction the other copy thereof shall be retained by the permittee for a period of two (2) years. The tag attached to the container of the animals or pelts shall remain attached until the animals or pelts are delivered to the consignee [when said tag shall at once be returned to the commission]

It is unlawful for any permittee or his agent or employe to neglect to return to the Commission any tag with the information thereon required or to fail or neglect to retain the copy required of him or to ship or dispose of any fur-bearing animal or the pelt thereof from a licensed fur farm except in compliance with the provisions of this section

Section 4 Section four hundred nineteen of said act is hereby amended to read as follows

Section 419 Penalties Any person violating any of the provisions of this article shall upon conviction be sentenced to pay the following fines and costs of prosecution for each offense

(a) For the sale or exchange or shipment or removal out of this Commonwealth of birds or nests or eggs or the taking of birds or nests contrary to the provisions of this article by agents of museums or persons of scientific attainment in ornithology or mammalogy acting under the authority of any permit twenty-five dollars

(b) For the practice of taxidermy for profit without a permit as provided in this article twenty-five dollars and in addition thereto twenty-five dollars for each specimen of a bird or animal protected by this act mounted or in possession for mounting

(c) For the mounting sale or shipment or removal from or permitting the removal from the Commonwealth by the holder of any taxidermy permit of each specimen of a bird or animal protected by this act contrary to the provisions of this act twenty-five dollars

(d) For a resident of the Commonwealth purchasing or receiving or reselling raw furs for commercial purposes without a permit as provided in this article [twenty-five] one hundred dollars

(e) For a nonresident of the Commonwealth purchasing or receiving or reselling raw furs for commercial purposes without a permit as provided in this article [one] two hundred dollars

(f) For the breeding or propagating of game or fur-bearing animals in captivity without a propagating permit contrary to the provisions of this article twenty-five dollars for each bird or animal so bred or propagated

(g) [For neglecting to return to the commission the part of the tag not attached to the container or bird or animal with the information thereon required or for] For

the killing or selling or giving away or removing or shipping of game or fur-bearing animals or the pelts thereof bred or propagated or eggs produced by the holder of any propagating permit or his agent or employe contrary to the provisions of this article twenty-five dollars

(h) For neglecting [to remove and] or failing to return the duplicate copy of such tag to the commission or for neglecting or failing to retain the copy of the tag as provided in this article [the tag attached to any container or to any bird or animal] ten dollars [;] for each such neglect or failure

(i) For wilfully or wantonly removing or mutilating or counterfeiting or altering or destroying a tag attached to a container or bird or animal contrary to the provisions of this article twenty-five dollars

(j) For wilfully using any tag for the carrying or removing or shipping of game or fur-bearing animals or the eggs of game birds taken or killed outside of premises for propagating game or fur-bearing animals under authority of permit or for the purpose of a second shipment of game or fur-bearing animals from any such premises contrary to the provisions of this article twenty-five dollars

(k) For taking any game birds on premises covered by a regulated shooting grounds permit in excess of the numbers fixed by the provisions of this article or for taking or capturing such birds by any method other than by shooting or for consuming on the premises or removing therefrom any propagated or released pheasants chukar partridges or mallard or black ducks killed in accordance with the provisions of this article with reference to regulated shooting grounds which have not been tagged as herein required or for attempting to operate such regulated shooting grounds contrary to any other provisions of this article fifty dollars

(l) For the breeding or selling or offering for sale or having in possession or delivering any ferret or fitch contrary to the provisions of this article twenty-five dollars for each ferret or fitch

(m) For maintaining a roadside menagerie for the purpose of exhibition or attracting trade contrary to the provisions of this article or for failure to comply with the regulations of the commission relative to the housing and care of such animals twenty-five dollars

Upon failure of any person convicted of a first offense to immediately pay the fine imposed and costs of prosecution he shall be imprisoned one day for each dollar of fine imposed and cost of prosecution

Any person convicted of a second or subsequent offense shall be liable to the fines above provided and costs of prosecution and in addition thereto shall in the discretion of the court suffer imprisonment one day for each dollar of fine imposed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS--202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Scott,
Barrett,	Gibson,	McDonald,	Serrill,
Baumunk,	Goff,	McKinney,	Shoemaker,
Beech,	Goodling,	McMillen,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boles,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Grimths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Brelsch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenshield,	Murray,	Stonier,

Brunner,	Helm,	Myers,	Stuart,
Buchlin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Wels,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwatter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarra,	

NAYS--0

NOT VOTING--3

Mihm, Schuster, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 744, as follows:

An Act to add clause LXIV to section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing charges in connection with borough facilities for general revenue purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as last amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-five (P. L. 1089) is hereby further amended by adding at the end thereof a new clause to read as follows

Section 1202 Specific Powers The powers of the borough shall be vested in the corporate officers They shall have power

* * * * *

LXIV In the operation of its utilities parking meters parking lots and other facilities of the borough to make and regulate charges therefor necessary or incidental to the acquisition construction maintenance extension or replacement thereof for general borough purposes in relief of real estate taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Scott,
Barrett,	Gibson,	McDonald,	Serrill,
Baumunk,	Goff,	McKinney,	Shoemaker,
Beech,	Goodling,	McMillen,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boies,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Brelsich,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenshield,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
For,	Mazza,	Sarra,	

NAYS—0

NOT VOTING—3

Mihm, Schuster, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 800, entitled:

An Act empowering political subdivisions (except cities of the first class counties and school districts of the first class) to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the estab-

lishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes and permitting penalties to be imposed and enforced

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMENDED

Mr. STONIER. Mr. Speaker, I move that this bill be recommended to the Committee on Municipal Corporations for amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 885, as follows:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" authorizing the levy and collection of an additional tax to provide pensions retirement or the purchase of annuity contracts for municipal employees The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article thirteen of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto after section one thousand three hundred one point one a new section to read as follows

Section 1301.2 Additional Tax for Municipal Employees' Benefit The council of the borough shall have the power to levy and collect annually on the valuation assessed for general borough purposes as now is or may be provided by law an additional tax not exceeding one-half (½) mill to provide for pensions retirement or the purchase of annuity contracts for municipal employees This tax shall be kept in a separate fund and used only for the purposes herein provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Scott,
Barrett,	Gibson,	McDonald,	Serrill,
Baumunk,	Goff,	McKinney,	Shoemaker,
Beech,	Goodling,	McMillen,	Simons,
Bender,	Gorman,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Mikula,	Smith, C. M.,
Bloom,	Greenwood,	Miller,	Snider,
Boies,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Brelsich,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenshield,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cole,	Jennings,	O'Donnell,	Turner,

Cochran,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarra,	

NAYS—0

NOT VOTING—3

Mills, Schuster, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 640 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1327, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Department of Public Instruction for the purpose of employing qualified supervisors and clerical assistants provide necessary travel and maintenance and legal or other services as may be necessary in assisting the department in formulating rules and regulations in conducting inspections processing reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private schools and classes in accordance with law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Scott,
Barrett,	Gibson,	McDonald,	Serrill,
Baumunk,	Goff,	McKinney,	Shoemaker,
Beech,	Goodling,	McMillen,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smft', C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boies,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Hall,	More, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenshield,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Varallo,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Walton,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarra,	

NAYS—0

NOT VOTING—3

Mihm, Schuster, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

Senate Bill No. 152, Printer's No. 245 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 318, as follows:

An Act validating and confirming titles to real estate conveyed by cities of the third class, unless proceedings to attack such sales are instituted within one year after the effective date of this act.

On the question,

Will the House agree to the bill on third reading?

Mr. ROSE. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by striking out the words "one year" and inserting in lieu thereof "six years".

Amend Sec. 1, page 2, line 1, by striking out the word "one year" and inserting in lieu thereof "six years".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection,

Senate Bill No. 334, Printer's No. 354

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 338, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer.

On the question,

Will the House agree to the bill on third reading?

Mr. LOVETT. Mr. Speaker, is this Senate Bill 338?

The SPEAKER. That is correct. Does the gentleman desire to discuss the bill?

Mr. LOVETT. I am just kind of confused again. I don't know what it is all about.

Mr. TURNER. Mr. Speaker, I think I can explain it very simply to the gentleman from Westmoreland. Under the Pennsylvania Labor Relations Act municipalities and employees of political subdivisions, or political subdivisions and municipalities are excluded from the definition of employers. There has therefore been an ambiguity in the act, whether the municipality, authority or municipal authority is outside of the definition of employer, some holding under the case that the gentleman from Allegheny, Mr. Brown, cited yesterday as to the Western Pennsylvania Hospital case, whether as an agency of the Commonwealth it would not come within that definition. To clarify that Messrs. Becker and Dent introduced this bill in the Senate to clarify the definition. In other words this would put the employees of municipal authorities in the same category.

Mr. ANDREWS. Mr. Speaker, in order to clarify my own thinking I should like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman says that there is now some misunderstanding as to whether employees of authorities are in or out of the Labor Relations Act?

Mr. TURNER. It was because of this ambiguity in the clause.

Mr. ANDREWS. This bill resolves the doubt by saying that they are not in the act?

Mr. TURNER. That is right, Mr. Speaker.

Mr. ANDREWS. And it would have been equally possible to say by statute that they are under the act?

Mr. TURNER. Yes, Mr. Speaker, but all employees of the Commonwealth of Pennsylvania and any political subdivisions of the Commonwealth of Pennsylvania are outside of the act.

Mr. ANDREWS. But, Mr. Speaker, I imagine that if we are drawing a bill to the effect that they are not under the act, it would be possible to draw a bill that they are under the act?

Mr. TURNER. I think it would.

Mr. ANDREWS. At the present time, I think, Mr. Speaker, we should ask for at least until Monday to determine whether we here in the House are in agreement with the position arrived at in the Senate.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 338, Printer's No. 98 and

Senate Bill No. 478, Printer's No. 244

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 652, as follows:

An Act terminating the existence of the Pennsylvania Nautical School

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The affairs of the Pennsylvania Nautical School for the education and training of pupils in the science and practice of navigation shall be wound up and its existence terminated as soon as practicable by the

Department of Forests and Waters under such rules and regulations as it shall promulgate with the approval of the Governor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

n the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Frost,	McCormack,	Sax,
Andrews,	Gallagher,	McCosker,	Scanlon,
Bane,	Getchey,	McCullough,	Scott,
Barrett,	Gibson,	McDonald,	Serrill,
Baumunk,	Goff,	McKinney,	Shoemaker,
Beech,	Goodling,	McMillen,	Simons,
Bender,	Gorman,	Mikula,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Smith, C. M.,
Bloom,	Greenwood,	Mills,	Snider,
Boies,	Greer,	Mintess,	Sollenberger,
Bonawitz,	Griffiths,	Mohr,	Sorg,
Boorse,	Guthrie,	Mooney,	Sproul,
Bower,	Gyger,	Moore, C. E.,	Stank,
Breisch,	Hall,	Moore, H. A.,	Stimmel,
Brice,	Haller,	Morrison,	Stockham,
Brown,	Haudenschild,	Murray,	Stonier,
Brunner,	Helm,	Myers,	Stuart,
Bucchin,	Henry,	Najaka,	Swope,
Cadwalader,	Hewitt,	Naumann,	Tahl,
Capano,	Hocker,	Needham,	Thomassy,
Cassidy,	Hoffman,	Neff,	Thompson,
Chervenak,	Hoopes,	Nelson,	Tittle,
Chudoff,	Horan,	O'Connor,	Tompkins,
Clevenger,	Imbt,	O'Dare,	Toomey,
Cochran,	Jennings,	O'Donnell,	Turner,
Cole,	Johnson,	O'Neill,	Upshur,
Cook,	Johnston,	Orban,	Vaughan,
Cooper,	Jones,	Patten,	Verona,
Cordier,	Jump,	Petrosky,	Wachhaus,
Costa,	Kean,	Pichney,	Wagner,
Crowley,	Kelley,	Pickens,	Waldron,
Dague,	Kemp,	Polaski,	Wallin,
Dalrymple,	Kent,	Powers,	Walton,
Davison,	Kirley,	Price,	Waterhouse,
De Long,	Kline,	Proper,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Welss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwaller,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,	Sarra,	

NAYS—0

NOT VOTING—3

Milhm, Schuster, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

REPORTS FROM COMMITTEES

Mr. VAUGHN from the Committee on Cities and County

—Second Class, reported as amended, House Bill No. 381, entitled:

An Act permitting employees of counties of the second class to accumulate their annual sick leaves, and making such right retroactive.

Mr. RAGOT from the Committee on Elections and Apportionment, reported as amended, House Bill No. 1162, entitled:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections." further providing for payment of filing fees in certain cases.

CONCURRENT RESOLUTION

Mr. LAYER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 21, 1947.

Recently, United States Senator Edward Martin was called from the floor of the Senate to meet a delegation of Pennsylvania Communists attending that party's veterans' convention. Since they were Pennsylvanians, Senator Martin heard what they had to say.

At the same time, the Senator impressed upon this group his beliefs as to certain of their activities.

Emphatically, he stated that he would at no time discuss the welfare of American veterans with any group upholding or representing the communistic philosophy, and that he would seek advice concerning veterans' needs only from recognized veterans' organizations and patriotic affiliated groups.

In short, Senator Martin condemned the use of the uniform or veteran status as a cloak behind which to advance communistic ideas in the guise of aid to veterans, and inferentially pointed out the infiltration tactics used as a common weapon by communists; therefore be it

Resolved, (if the Senate concur), That the General Assembly of Pennsylvania commends and congratulates Senator Edward Martin for the forthright stand he has taken on the above occasion; and be it further

Resolved, That copies of this resolution be sent to United States Senator Edward Martin.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONDOLENCE RESOLUTION

Mr. O'NEILL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 21, 1947.

The Members of this House of Representatives are saddened to learn of the recent death of Paul A. Barrett, editor and publishing executive of Dunmore, Lackawanna County, Pennsylvania.

Mr. Barrett was a lifelong resident of Dunmore. He

was a graduate of St. Paul's High School, Green Ridge, and St. Thomas' College. During World War I, he served in the armed forces, during World War II he was a member of County Draft Board No. 6, Dunmore.

In 1921, Mr. Barrett and William F. Grady formed the Barrett Publishing Company and purchased the Olyphant Gazette. Mr. Barrett was the editor of both the Dunmorean and the Olyphant Gazette and president of the publishing company bearing his name.

Paul A. Barrett was a conscientious citizen active in the civic, political, religious and business life of his community. At the time of his death, he was secretary of the Olyphant Rotary Club, of which he was a charter member and past president. He was also active in the Olyphant Business and Professional Men's Club. He was a member of Local No. 112, International Typographical Union. He was a director of the Fidelity Deposit and Discount Bank of Dunmore. His interest and ability were always solicited in community affairs and will be sorely missed by the members of his community, therefore be it

Resolved, That in the passing of Paul A. Barrett, the Commonwealth and his community of Dunmore lose a son who served them long and well, and be it further

Resolved, That in token of the heartfelt sympathy felt for them by the Members of this House of Representatives, a copy of this resolution shall be transmitted to his widow Mildred Padden Barrett, and their children, Dorothy, Marie, Paul Adrian and Girard.

BILL ON SECOND READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. LAUGHNER.

The House resumed the consideration on second reading of House Bill No. 982, entitled:

An Act to amend section one of the act, approved the twenty-first day of March, one thousand nine hundred forty-five (P. L. 51), entitled "An act defining and regulating the practice of Chiropody and providing penalties," by further defining chiropody.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LAUGHNER offered the following amendments:

Amend sec. 1 (Sec. 1), page 2, line 3, by striking out the bracket before the word "Chiropody."

Amend sec 1 (Sec. 1), page 2, line 9, by striking out the bracket after the word "skin" and inserting immediately thereafter "the padding, dressing and strapping of the feet; the making of models of the feet and palliative and mechanical treatment of functional disturbances of the feet."

Amend sec. 1 (Sec. 1) page 3, lines 12 to 18, by striking out all of said lines.

They were agreed to.

The second section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 645.

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling alleys.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Section 1, page 4, line 16, by striking out after the word "tunnel" the words "nor in a public bowling alley."

Amend Section 1, page 5, line 16, by striking out the bracket before the word "nor" and after the word "alley"; line 17, by inserting after the word "room" the following words "provided that male minors sixteen years of age and over may be employed and permitted to work in a public bowling alley."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Aaronson,	Frost,	McCormack,	Sarra,
Andrews,	Gallagher,	McCosker,	Sax,
Bane,	Getchey,	McCullough,	Scanlon,
Barrett,	Gibson,	McDonald,	Scott,
Baumunk,	Goff,	McKinney,	Serrill,
Beech,	Goodling,	McMillen,	Shoemaker,
Bender,	Gorman,	Mikula,	Simons,
Bentzel,	Graybill,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Bucchin,	Henry,	Najaka,	Stuart,

Cadwalader,	Hewitt,	Neff,	Swope,
Capano,	Hocker,	Nelson,	Tahl,
Cassidy,	Hoffman,	Naumann,	Thomassy,
Chervenak,	Hoopes,	Needham,	Tompkins,
Chudoff,	Horan,	O'Connor,	Thompson,
Clevenger,	Imbt,	O'Dare,	Tittle,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Kratz,	Readinger,	Watson,
Depuy,	Krise,	Reagan,	Weidner,
Dix,	Kurtz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	West,
Elder,	Lee,	Reilly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yetzer,
Fiss,	Lyons,	Rose,	Young,
Flack,	Madden,	Rowen,	Lichtenwalter,
Fleming,	Madigan,	Royer,	Speaker.
Foor,	Mazza,		

NAYS—1

Yester.

NOT VOTING—3

Mihm,

Schuster,

Trout,

The majority required by the Constitution having voted in the affirmative, the question as determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes the Honorable William J. Burchinal, a former Member of this House from Fayette County.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 336.

An Act to further amend section two hundred three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highway and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles

imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further changing the provisions of the act relating to the titling of commercial motor vehicles

HOUSE BILL No. 428.

An Act to amend sections two and five of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1107) entitled "An act for the construction erection and maintenance of roadside rests adjacent to State highway routes providing for the acquisition of interests in land by gift purchase or condemnation granting powers to and imposing duties upon the Department of Highways the Secretary of Highways the Governor and the Department of Property and Supplies authorizing rules and regulations and providing penalties for violations thereof and making an appropriation" by increasing the maximum cost of any one roadside rest and by increasing the amount of the appropriation

HOUSE BILL No. 461.

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by allowing State airports to be leased for periods not to exceed five years

HOUSE BILL No. 642.

An Act to further amend section five hundred sixty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the revision of the budget of school districts of the second third and fourth classes during the fiscal year

HOUSE BILL No. 445.

An Act to further amend section one thousand four hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general

special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to pay the tuition of certain non-resident inmates of institutions attending public schools

HOUSE BILL No. 465.

An Act to add section five hundred twenty-six to the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officer and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" providing for the purchase maintenance and operation of aircraft by the Pennsylvania Aeronautics Commission for official use and for the payment of charges therefor into the Motor License Fund and appropriating the same to the Pennsylvania Aeronautics Commission

HOUSE BILL No. 754.

An Act to further amend sections three hundred seven-teen three hundred eighteen three hundred nineteen three hundred twenty three hundred twenty-one three hundred twenty-two three hundred twenty-three and three hundred twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the amount of contributions to the employee's retirement fund and the retirement board in investing the money of the retirement board in investing the money of the retirement fund describing the length of service necessary to entitle certain members to a retirement allowance upon being totally disabled refund of contributions authorizing counties of the second class and county institution district to make additional appropriations

HOUSE BILL No. 964.

An Act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand nine hundred twentyone (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters

HOUSE BILL No. 1008.

An Act to add article XXX-A to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," empowering boards of township commissioners to establish land subdivision regulations.

HOUSE BILL No. 1109.

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the classification registration and regulation of tractors and the licensing of their operators.

HOUSE BILL No. 1232.

An Act authorizing the Secretary of Highways with the approval of the Governor to take over as State Highways public roads which connect existing State Highway routes with free interstate bridges and providing for construction reconstruction and maintenance at the expense of the Commonwealth.

HOUSE BILL No. 518.

An Act to further amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemption debts of decedents rents of real estate as assets for payment thereof the lien thereof of sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitutions of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" authorizing as legal investments mortgages guaranteed or insured under the Federal Servicemen's Readjustment Act.

HOUSE BILL No. 533.

An Act to further amend section two of the act ap-

proved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" authorizing conveyances of real estate by married woman to her husband or to her husband and herself jointly without joinder of her husband.

HOUSE BILL No. 534.

An Act to further amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 984) entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others and to make uniform the law relating thereto" by authorizing conveyances by husband or wife without the joinder of his or her spouse to husband and wife as tenants by the entirety and validating certain transactions.

HOUSE BILL No. 630.

An Act to amend section one of the act approved the third day of June one thousand nine hundred eleven (P. L. 631) entitled "An act authorizing a married woman to make conveyance of real estate to her husband and validating all such conveyances heretofore made" authorizing conveyances of real estate of a married woman to her husband and herself jointly as if she were a feme sole.

HOUSE BILL No. 1066.

An Act to amend section twenty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" making a husband liable for his wife's per capita poll and occupation taxes and providing for the collection thereof

HOUSE BILL No. 1286.

An Act validating certain conveyances of real property made by a county home or by the directors of the poor

SENATE BILL No. 356.

An Act to further amend section three hundred twelve and section three hundred twenty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and re-

pealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by excluding school districts of the first class from the requirement that school orders must be signed by the President or any other member or other officer of the Board.

SENATE BILL No. 453.

An Act to amend Section fourteen of Article XIX of the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the Better Government of Cities of the First Class of the Commonwealth" by extending the time for posting of eligible lists after examination held by the Civil Service Commission when more than one thousand applicants are examined

SENATE BILL No. 542.

An Act to amend Section six hundred seven of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by making it unlawful to disturb or tamper with traps set by agents of the Commission.

SENATE BILL No. 428.

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. GOODLING. Mr. Speaker, I move that this House do now adjourn until Thursday, May 22, 1947, at 10:00 a. m., Eastern Standard Time.

The motion was agreed to, and (at 4:48 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., THURSDAY, MAY 22, 1947.

No. 61.

SENATE

THURSDAY, May 22, 1947

The Senate met at 12:00 o'clock, M., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the gentleman from Schuylkill, Senator PAUL L. WAGNER.

Our Heavenly Father, we start our deliberations on a new day, mindful of the fact that this is indeed our Father's world, with its sunshine and its rain, with its blessings sufficient for our every need. Guide us, be with us, and direct us, we pray, as we seek to do that which is just and fair, and righteous and helpful to our fellow man, and save us all, we ask, in the name of Thy Son, the Savior. Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. LORD, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania.

Governor's Office, Harrisburg, May 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

ELK COUNTY

Harrison Beardsley (Republican), 301 Bridge Street, Johnsonburg, from January 1, 1947, until December 31, 1949.

C. H. Frederick (Republican), 218 Cook Avenue, Ridgway, from January 31, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

H. B. Eynon (Republican), 321 South Michael Road, St. Marys, from January 1, 1947, until December 31, 1949.

LaRue Knapp (Republican), 524 High Street, Johnsonburg, from January 31, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Veronica Thompson (Democrat), 114 South Street, Ridgway, from January 1, 1947, until December 31, 1949.

Miss Katharine A. Signor (Republican), 9 South Broad Street, Ridgway, from January 31, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

JUNIATA COUNTY

Mrs. Anna S. Smith (Republican), R. D. 1, Thompsonstown, from December 27, 1946, until December 31, 1948.

Jack Kyle (Republican), Mifflintown, from December 27, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Harold Kerchner (Republican), Mifflintown, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Viola Strassburger (Republican), Mifflintown, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

MONROE COUNTY

Prof. E. E. Kuntz (Republican), 181 Analomink Street, East Stroudsburg, from January 7, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

George F. Stack (Democrat), R. D. No. 1, Cresco, from January 7, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Mrs. Emma I. Shoesmith (Republican), 703 Thomas Street, Stroudsburg, from January 1, 1947, until December 31, 1949, and until her successor is duly appointed and qualified.

Mrs. Sally Rosenkrans (Republican), East Stroudsburg, from January 31, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

TIOGA COUNTY

Miss Frances Armstrong (Republican), Wellsboro, from March 8, 1946, until December 31, 1948.

Mrs. Hazel M. Parsells (Republican), Box 37, Wellsboro, from March 8, 1946, until December 31, 1947.

Raymond Miller (Republican), 23 Kings Street, Wellsboro, from March 8, 1946, until December 31, 1947, and until his successor is duly appointed and qualified.

Stacey Spencer (Republican), Wellsboro, from January 1, 1947, until December 31, 1949.

Perley W. Lawton (Republican), 35 Water Street, Wellsboro, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Mrs. Bertha Weaver (Democrat), Nelson, from February

26 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

Miss Isabelle Martin (Republican), Morris Run, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice Herman Colegrove, Knoxville, deceased.

JAMES H. DUFF

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 22, 1947.

Mr. STEVENSON. Mr. President, I second the motion. The motion was agreed to.

The nominations were read as follows

Commonwealth of Pennsylvania,
Governors Office, Harrisburg, May 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

In conformity with law I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Ruth L. Will, Pittsburgh, 1101 Law & Finance Bldg.

Chas. R. Wright, Jefferson Twp., Box 408 R. D. 1, Clairton.

BRADFORD COUNTY

Mrs. Kathryn T. Cook, Athens.

CRAWFORD COUNTY

Robert T. Gough, Jr., Titusville.

McKEAN COUNTY

Philip F. Jacobus, Kane.

WESTMORELAND COUNTY

Harry Laughrey, Jr., Scottdale.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. STEVENSON, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,

Letzler,
Lord,
Mahany,
Mallery,
Margie,
Rosenfeld,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,

Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,

Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 57

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 57, entitled:

An Act to add section three thousand seven hundred twenty-two to the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 645

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 645, entitled:

An Act to further amend section five of the act, approved the thirteenth day of May, one thousand nine hundred fifteen, (P. L. 286), entitled "Child Labor Law" permitting employment of male minors sixteen years of age, or over, in public bowling-alleys.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 788

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection.

SENATE BILL No. 78, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain

employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

With the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

SENATE BILL No. 78 LAID ON THE TABLE

Mr. HOMSHER. Mr. President, I request that Senate Bill No. 78 be laid upon the table.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE CONCURS IN SENATE BILL No. 652

He also returned to the Senate Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

With the information that the House has passed the same without amendments.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 428

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows

In the Senate, May 21, 1947.

Resolved (if the House of Representatives concur) That Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis.

be recalled from the Governor for the purpose of amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 438

He also presented extract from the Journal of the

House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 21, 1947.

Resolved, (if the Senate concur), That House Bill No. 438, Printer's No. 274, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person

be recalled from the Governor for further consideration.

HOUSE CONCURRENT RESOLUTION

He also presented extract from the Journal of the House, which was twice read as follows:

COMMENDING UNITED STATES SENATOR EDWARD MARTIN FOR HIS VIEWS AGAINST COMMUNISM

In the House of Representatives, May 21, 1947.

Recently, United States Senator Edward Martin was called from the floor of the Senate to meet a delegation of Pennsylvania Communists attending that party's veterans' convention. Since they were Pennsylvanians, Senator Martin heard what they had to say.

At the same time, the Senator impressed upon this group his beliefs as to certain of their activities.

Emphatically, he stated that he would at no time discuss the welfare of American veterans with any group upholding or representing the communistic philosophy, and that he would seek advice concerning veterans' needs only from recognized veterans' organizations and patriotic unaffiliated groups.

In short, Senator Martin condemned the use of the uniform or veteran status as a cloak behind which to advance communistic ideas in the guise of aid to veterans, and inferentially pointed out the infiltration tactics used as a common weapon by communists; therefore be it

Resolved, (if the Senate concur), That the General Assembly of Pennsylvania commends and congratulates Senator Edward Martin for the forthright stand he has taken on the above occasion; and be it further

Resolved, That copies of this resolution be sent to United States Senator Edward Martin.

RULE 39 SUSPENDED

Mr. TALLMAN. Mr. President, I ask unanimous consent that rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.

On the question,

Will the Senate agree to the resolution?

Mr. BARR. Mr. President, who is the man who introduced this resolution.

The PRESIDENT. The Chair is advised by the desk that the resolution was introduced by Representative Layer, of Delaware County.

Mr. HOLLAND. Mr. President, I think all of us are in opposition to any group which wishes to overthrow our government, preaching and giving foreign ideas and

foreign ideologies, but I also want to point out that at the present time in Washington the action of the United States Senate, the United States Congress, is such that more communists will be created in America than ever before.

Due to the type of legislation that has been before the Congress and voted upon by the Senator from Pennsylvania, Mr. Martin, I would say that he is not contributing anything to industrial peace in Pennsylvania or in America. He has been a great advocate, before the election and since elected, of being a great friend of labor, and I believe that he accepted time and time again the support of certain branches of labor and told them that at no time would he ever do anything to disturb or affect collective bargaining in the United States. His very votes on labor legislation while in Congress have proven that he is no friend of labor and that he is doing all he can to serve the interests who gave the greatest contribution to his political campaign, the Manufacturers Association of Pennsylvania. He has not shown the interest in the workers of Pennsylvania that he professed during his campaign and I say to Mr. Martin that his type of thinking, his desire to go back to the old days when he was chairman of the Republican party, in the old days of the coal and iron police and when the paid deputy sheriff system was in force in Pennsylvania, he has shown his desire to go back to those days by his votes in the very short time he has been in the Senate at Washington.

I hear nothing from Senator Martin about the profiteers, the people who are taking food out of the mouths of workers and causing unrest. I have heard nothing of Senator Martin trying to put through the Wagner-Allen-Taft Bill, for housing for the returned veteran he loved so much during his campaign, and I say to you, although all of us are in accord with the stand on communism I say to you that unless Senator Martin does something he shall be responsible for creating more communists in America, unless he goes and gets at the source that creates communism, high prices, low wages, people living in filth and squalor and in the slums of Pennsylvania. Yes, we have, to have high wages and low prices and someone will say immediately that the cause of high prices is because wages have been increased. I say to you that the Taft Survey has proven that our profits are out of proportion to wage increases given to the workers of America and that in cases where they should have increased profits 1.6 per cent they jumped as high as ninety per cent, as, for instance, the Armour Company made 245 per cent more profit in 1946 than in 1945. Those who make foods for children have jumped their profits 290 per cent more in 1946 than they had in 1945.

And, Mr. President, I say to you that this Senate should be sending a resolution to Senator Martin to tell him to destroy the causes that create communism, instead of waving the flag and doing nothing about the high cost of living and of housing and, yes, the squalor that our returned veterans must live in because there are no homes for them on their return after winning the war.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex; conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties; and making an appropriation.

Which was committed to the Committee on Labor and Industry.

House Bill No. 643, entitled:

An Act to amend sections four hundred two, four hundred nine, four hundred fifteen, and four hundred nineteen of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law" by increasing the fee for resident and nonresident fur buyers' permits; revising the requirements with reference to tags attached to shipments of propagated game and propagated fur-bearers; and changing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 744, entitled:

An Act to add clause LXIV to section one thousand two hundred two of the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," authorizing charges for borough services and facilities.

Which was committed to the Committee on Local Government.

House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities, townships and boroughs for payments to firemen's relief pension and retirement funds.

Which was committed to the Committee on Appropriations.

House Bill No. 769, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

Which was committed to the Committee on Appropriations.

House Bill No. 826, entitled:

An Act relating to strikes by public employees, providing that such employees by striking terminate their employment providing for reinstatement under certain conditions and prohibiting strikes by public employees

Which was committed to the Committee on Labor and Industry.

House Bill No. 885, entitled:

An Act to add section one thousand three hundred one point two to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 119), entitled "General Borough Act," authorizing the levy and collection of an additional tax to provide pensions, retirement or the purchase of annuity contracts for municipal employees.

Which was committed to the Committee on Local Government.

House Bill No. 952, entitled:

An Act to further amend section four hundred two of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 1937, p. 2897), entitled "Unemployment Compensation Law," by further defining employes ineligible to compensation.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Department of Labor and Industry; imposing powers and duties on the department relative thereto and providing penalties.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "Pennsylvania Labor Relations Act," declaring certain additional labor practices by employes to be unfair.

Which was committed to the Committee on Labor and Industry.

House Bill No. 1327, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private schools and classes.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 57, entitled:

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

House Bill No. 344, entitled:

An Act to amend section four of the act approved the thirty-first day of May, one thousand nine hundred twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foremen, and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates," changing compensation of board members

Senate Bill No. 601, entitled:

An Act to further amend section five of article three of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," by further regulating barrier pillars.

House Bill No. 645, entitled:

An Act to further amend section five of the act, approved the thirteenth day of May, one thousand nine hundred fifteen, (P. L. 286), entitled "Child Labor Law" permitting employment of male minors sixteen years of age, or over, in public bowling-alleys.

Senate Bill No. 652, entitled:

An Act terminating the existence of the Pennsylvania Nautical School.

House Bill No. 788, entitled:

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

H. B. 1108 REPORTED FROM COMMITTEE AND RE-REFERRED

Mr. WALKER. Mr. President, I am instructed by the Committee on Judiciary General to report, as committed, House Bill 1108, which was just referred to committee yesterday. In explanation I should like to say that House Bill 1108 is a companion bill to House Bill 1107 which was referred to the Senate Committee on Banking; therefore House Bill 1108 is being reported from the Committee on Judiciary General, in order that it may be re-referred to the Committee on Banking, so that they can be together.

Mr. WALKER, from the Committee on Judiciary General reported as committed, (House Bill No. 1108), entitled:

An Act to further amend subsection (a) of section seven hundred nineteen, and section one thousand seven hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by changing the times for filing returns and for payment of the tax due in certain cases providing penalties.

which was re-referred to the Committee on Banking.

Mr. HARE, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, township, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; provid-

ing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with mental institutions providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," authorizing the Department of Welfare, with the approval of the Governor, to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

BILLS INTRODUCED AND REFERRED

Mr. WALKER (By Request) read in place and presented to the Chair Senate Bill No. 788, entitled:

An Act to further amend section six of the act, approved the thirtieth day of March, one thousand nine hundred seventeen (P. L. 21) entitled "An act defining optometry; and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions; and providing a Board of Optometrical Education, Examination, and Licensure and means and methods whereby the right to practice optometry may be obtained; and providing for the means to carry out the provisions of this act; and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof; and repealing all acts or parts of acts inconsistent therewith," further providing for examinations to be given applicants for licensure.

which was committed to the Committee on Education.

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 789, entitled:

An Act requiring the Commonwealth to pay interest on awards in condemnation proceedings or in the exercise of the right of eminent domain.

which was committed to the Committee on Judiciary General.

Mr. STEVENSON read in his place and presented to the Chair Senate Bill No. 790, entitled:

An Act empowering the Secretary of the Department of Forests and Waters to acquire by purchase, gift or exchange and requiring other State departments, boards or commissions to transfer to the Department of Forests and Waters certain forest lands, upon approval of the Governor.

which was committed to the Committee on Forests and Waters, Game and Fish.

CALENDAR

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 432, as follows:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycle pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) is hereby further amended by adding thereto after clause seven a new clause to read as follows

Section 1002 Restrictions as to Speed

* * * *

(b) Subject to the provisions of subsection (a) of this section speeds in excess of the maximum limits herein-after provided shall be unlawful

* * * *

8 The Secretary of Highways may after due investigation establish further restricted speed zones on State highways outside of business and residence districts where traffic conditions or other conditions of the highway make it unsafe to operate motor vehicles at the maximum speeds as provided by this act

Any such established restricted speed zone shall be indicated by the erection of official signs spaced not less than one-eighth of a mile apart on the right hand side of the highway facing the traffic to be controlled and at the end of the restricted speed zone there shall

be an official sign indicating the end of such restricted speed zone

Section 2 Subsection (c) of section one thousand two of said act as last amended by the act approved the fifteenth day of April one thousand nine hundred forty-one (P. L. 17) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * *

(c) Subject to the provisions of subsections (a) and (b) of this section it shall be unlawful for the following kinds types and classes of vehicles to be operated at a greater speed than hereinafter provided except when such vehicles are being operated on highways under the supervision and control of a Turnpike Commission in which case subject to speed restrictions by such Turnpike Commission as hereinbefore provided the maximum speed limits shall be twenty miles per hour greater than hereinafter provided

Commercial motor vehicle and truck tractors R class fifty miles per hour

Motor buses and omnibuses fifty miles per hour

Commercial motor vehicles and truck tractors S T and U classes forty miles per hour

Commercial motor vehicles and truck tractors V and W classes thirty-five miles per hour

All other commercial motor vehicles and truck tractors thirty miles per hour

All combinations of commercial motor vehicles or truck tractors and trailers or semi-trailers thirty miles per hour

And the amendments made thereto having been printed as Required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Margie,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, T. N.,
Donlan,	Lane,	Stiefel,	Wood, L. H.,
			Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 493, on final passage, entitled:

An Act to further amend clause Sixth of section three section four and to amend section eight of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacturing sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard

sherbet ice and fruit ice including coated ice cream and coating thereof fixing standard for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases and further providing for the unlawful use of containers and other equipment and the enforcement of the provisions of the act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 503, as follows:

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by clarifying the law with reference to shooting within safety zones making it unlawful for certain persons to wilfully disturb wild birds or wild animals within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other birds and wild animals and amending revising consolidating and changing the law relating thereto" as last amended by the act approved the thirteenth day of April one thousand nine hundred forty-two (P. L. 28) is hereby further amended to read as follows

Section 806 Possession of Loaded Firearms and Certain Ammunition Restricted (a) Except as otherwise provided by law it is unlawful for any person to have in his possession a loaded rifle or loaded shotgun or a rifle or shotgun from the magazine of which all shells and cartridges have not been removed in or on any vehicle or conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use or used by the public within this Commonwealth Provided however That except as hereafter provided between five o'clock postmeridian of one day and seven o'clock antemeridian eastern standard time of the day following any unloaded rifle or shotgun being lawfully carried in accordance with the foregoing provisions [which is capable of discharging a cartridge larger than a .22 caliber long rifle] shall be so carried only when in a case or taken apart and securely wrapped but this requirement relative to carrying [certain] rifles and shotguns in cases or securely wrapped shall not apply during the period extending from the day before the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive

(b) Except during the period enumerated in subsection (A) of this section it is unlawful for any person to have in possession in or on any vehicle conveyance or its attachments while standing upon or along or being driven upon or along any public highway or a highway open to use by the public within this Commonwealth except as hereinafter provided between five o'clock postmeridian of one day and seven o'clock antimeridian eastern standard time of the day following any rifle cartridge [larger than a .22 caliber long rifle] or any shotgun

shell containing either a single bullet or pellets larger than a BB unless all such cartridges or shells are carried in unbroken original cartons or securely wrapped

(c) Provided however (a) that during the period from July first to September thirtieth inclusive of each year the foregoing requirements relative to carrying certain unloaded firearms and ammunition shall be applicable only from eight-thirty o'clock postmeridian to five o'clock antemeridian eastern standard time and (b) that the commission may by resolution change the daily hours stipulated in subsections (a) (b) and (c) of this section to make adjustment for time changes or time designations established by Federal law or by any regulations promulgated under Federal law

(d) The provisions of this section shall not be construed to apply to a public police officer engaged in the performance of his official duty or to an officer whose duty it is to enforce the game law and engaged in the performance of his official duty

(e) Any person violating any of the provisions of this section while the vehicle is in motion or is being used as a blind from which to kill or attempt to kill game while the vehicle is not in motion shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution Any other violation of the provisions of this section shall upon conviction subject the person responsible therefor to a fine of ten dollars and costs of prosecution

Section 2 Section eight hundred eight of said act is hereby amended to read as follows

Section 808 Prohibiting Shooting or Disturbing wildlife in Safety Zones

It is unlawful at any time for any person other than the owner or occupant while hunting or trapping for wild birds or wild animals of any kind to shoot or discharge any firearm or other deadly weapon within one hundred and fifty yards of any occupied dwelling house residence or other building or camp occupied by human beings or any barn stable or other building used in connection therewith The area within said distance being hereby defined as a "Safety Zone" or to shoot at any wild bird or wild animal while it is within such Safety Zone without the specific advance permission of the owner or tenant thereof

During any open hunting or trapping season it is unlawful for any person other than the owner or occupant to wilfully hunt for pursue disturb or otherwise chase any wild animal or bird within the safety zone designated in the preceding paragraph without the specific advance permission of the owner or occupant thereof

Any person who shall violate any of the provisions of this section shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of prosecution

Section 3 Section eight hundred thirty of said act is hereby amended to read as follows

(f) Accident Reports Required

Section 830 Accident Reports Required Every person who shall [cause an injury to] have caused or been involved in an accident in which a human being has been injured by gunfire while hunting or trapping or shall have a blind from which to kill or attempt to kill game while section while the vehicle is in motion or is being used as inflicted an injury upon himself with firearms or with bow the vehicle is not in motion shall upon conviction be sentenced to pay a fine of twenty-five dollars and costs of and arrow while hunting or trapping shall render a report to the commission at Harrisburg by registered mail or deliver the same to any salaried officer of the commission to file the report within the specified time

Any person who shall [inflict bodily injury upon another or upon himself] have been involved in an accident with on duplicate forms provided for that purpose within seventy-two hours after such injury unless such person be physically incapable of making the required report in which event it shall be the duty of the person [causing] or persons involved in the accident to designate an agent firearms or bow and arrow while hunting or trapping and who shall fail to submit the report specified within the re-

quired time shall upon conviction in a nonfatal accident be sentenced to pay a fine of twenty-five dollars and costs of prosecution and for a fatal accident fifty dollars and cost of prosecution

Section 4 The provisions of this act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn	Margie,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

THIRD READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 263, on third reading, entitled:

An Act relating to firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 266, as follows:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

(c) Treasurer

Section 510 Election of Treasurer At the municipal election in the year one thousand nine hundred and thirty-three and every fourth year thereafter the electors of each township shall elect a township treasurer for a term of four years from the first Monday of January next following his election

When the township treasurer is unable to perform the duties of his office and fails or refuses to appoint a deputy the court of common pleas on petition of the township commissioners shall appoint a deputy treasurer to serve until the treasurer is again able to perform the duties of his office or until such deputy is removed by the court but in no instance shall such deputy serve beyond the term of the treasurer in whose office he is serving as deputy treasurer the court shall also fix the compensation of such deputy treasurer at a rate not to exceed that paid to the elected township treasurer for the time such deputy shall serve such compensation shall be deducted from the compensation otherwise payable to the township treasurer such deputy shall furnish bond in the same manner as the bond of the treasurer

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfield,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 272, on third reading, entitled:

An Act to further amend section one thousand two hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," increasing the period before which temporary professional employees may become professional employees.

go over in tis order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND
FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 305, as follows:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing procedure for enforcement and imposing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the second day of January one thousand nine hundred and thirty-four (P. L. 1933-1934 page 207) is hereby reenacted and further amended to read as follows

Section 1 Be it enacted &c That this act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work by [any mine inspector] mine inspectors shall nevertheless [have the right to] at least one in each six months enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner measured by standards of safety provided by regulations promulgated by the Secretary of Mines he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order mine closed until the unsafe conditions are corrected Mandatory enforcement of any such order may be had by injunction proceedings

Any such regulations promulgated by the Secretary of Mines shall be selected from the act and the amendments thereto for mines in which five or more persons are employed or engaged in work and shall include only such regulations as are reasonably applicable to mines employing fewer than five persons

Any person who shall continue to operate or be a party to the operation of a mine in which from two to five persons are employed or engaged in work without correcting the unsafe conditions as ordered by a mine inspector shall upon conviction thereof in a summary proceeding for a first offense be sentenced to pay a fine of twenty-five dollars (\$25) and costs of prosecution and in default of the payment of such fine and costs shall be imprisoned for a period of ten (10) days and upon conviction of a second or subsequent offense shall be sentenced to pay a fine of fifty dollars (\$50) and costs of prosecution and be imprisoned for a period of thirty (30) days Upon conviction of a second or subsequent offense each day during which a person shall operate or be a party to the operation of a mine contrary to the order of the mine inspector shall constitute a separate offense

Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate alderman or justice of the peace within the city borough incorporated town or township where the alleged violation occurred provided that where there is no substantial difference between the re-

spective distances from the place where the alleged violation occurred to the offices of more than one magistrate alderman or justice of the peace any such prosecution may be brought before any one of such officers or if there is no person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 326, on third reading, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

be placed on the Third Reading Postponed Calendar.

Mr. WADE, Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 363, as follows:

An Act to amend further the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts

and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by changing the method of accounting for advances out of appropriations at the end of a biennium

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section 1504 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 261) is hereby further amended to read as follows

Section 1504 Advances Out of Appropriations Whenever an appropriation shall have been made to any department board or commission of the State government or to the board of trustees or other agency in charge of any semi-State institution which is intended for expenses of such a nature as to make it impracticable for such department board commission board of trustees or agency to file with the Department of the Auditor General itemized receipts or vouchers prior to the payment of such expenses upon requisition and warrant in the usual way such department board commission board of trustees or other agency may make requisition upon the Auditor General from time to time for such sum or sums of the appropriation as may be necessary to meet such expenses and the Auditor General shall draw his warrant upon the State Treasurer for such sum or sums to be paid out of the appropriation The total amount of requisitions for advancements from any appropriation less the total amount of properly itemized receipts or vouchers filed with the Auditor General accounting for such advancements shall never exceed an amount approved by the Governor nor shall it in any case exceed the amount of the bond of the officer or individual having control of the disbursements from the funds advanced

Requisitions for advances hereunder to any departmental administrative board or commission must be ap-

proved by the department with which such board or commission is connected prior to the presentation thereof to the Auditor General

Any department board commission board of trustees or agency having received an advance hereunder shall

(1) Whenever required by the Auditor General file specifically itemized vouchers in such form as may be prescribed by him accounting for all money expended out of such advance

(2) At the end of the appropriation period return to the State Treasury all unexpended balances of such advance before any advance shall be made out of any succeeding appropriation or requisition the Auditor General to credit the expiring appropriation and charge the new appropriation with the exact amount of cash on hand at end of the period Provided That advances to local county boards of assistance under the Public Assistance Law for reasonable emergency funds may be made before unexpended balances of advancements out of any previous appropriation are actually returned by such boards to the State Treasury

(3) Deposit all moneys advanced in the name of the Commonwealth in a State depository and certify the name thereof to the State Treasurer

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 393, on third reading, entitled:

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 546, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals and the record of magistrates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 579, on third reading, entitled:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 603, on third reading, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways, and providing for the construction and maintenance at the expense of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on third reading, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 642, on third reading, entitled:

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employes defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 667, on third reading, entitled:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the provisions thereof authorizing the levy and collection of taxes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 673, on third reading, entitled:

An Act to further amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 689, on third reading, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 690, on third reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 691, on third reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 709, as follows:

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "accumulated deductions" and further regulating withdrawal and payments thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eighteen of section one and subsection (1) of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the acts approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 847) and the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 950) are hereby further amended to read as follows

Definitions

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

18 "Accumulated Deductions" shall mean the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act to the credit of the annuity savings account together with the regular interest credited thereon to the date of the termination of the contributors State services. The accumulated deductions left by former employes or contributors with the fund to their credit whose State employment has heretofore been terminated shall no longer bear interest after the effective date of this act nor shall interest be paid on the accumulated deductions of any contributor who is on leave of absence without pay or in the case of Civil Service employes on furlough.

Withdrawal

Section 11 (1) Should a contributor before reaching superannuation retirement age by resignation or dismissal or for any other reason than death or retirement upon disability under section twelve or for superannuation under section thirteen or by reason of a leave of absence without pay cease to be a State employe he or she shall be paid on demand from the fund created by this act (a) the full amount of the accumulated deductions standing to his or her individual credit in the annuity savings account as of the termination of such service or in lieu thereof should he or she so elect (b) an annuity or a deferred annuity beginning at superannuation retirement age which shall be the actuarial equivalent of said accumulated deductions. His or her membership in the retirement association shall thereupon cease.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 712, as follows

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized under the laws of this Commonwealth to hold the same and heretofore conveyed after said unauthorized holding to a citizen of the United States or to a corporation authorized under the laws of this Commonwealth to hold the same is hereby declared where no inquisition has been heretofore instituted against the said real estate to escheat the same by reason of such unauthorized holding to be free and clear of any right of escheat by this Commonwealth by reason of said unauthorized holding and such citizen or corporation grantee as aforesaid and his or its respective heirs successors and assigns shall in such case hold said real estate indefeasible as to any right of escheat by this Commonwealth by reason of said unauthorized holding.

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 713, on third reading, entitled

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 725, on third reading, entitled:

An Act to reenact amend and revise section forty-one clause (a) paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration

and distribution of the estates of presumed decedents widows and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 732, as follows:

An Act to further amend clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (i) of section two thousand four hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Common-

wealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby further amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * * *

(i) To rent to individuals firms or corporations or the Government of the United States or any branch or agency thereof such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year except leases made in the interest of national defense to the Government of the United States or any branch or agency thereof of which leases may be for such terms as are approved by the Governor

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled

"An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" validating certain expenditures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sub-section (a) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended in part by the act approved the eighteenth day of May one thousand nine hundred and forty-five (P. L. 803) and as last amended in part by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be deposited and maintained in a special fund designated as the "County Liquid Fuels Tax Fund" into which no other moneys shall be deposited and commingled Moneys so received and deposited shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes [and all such payments heretofore made are hereby validated] and all payments made by any county either directly or indirectly prior to the first day of January one thousand nine hundred and forty-six for any or all such purposes are hereby validated Provided That no expenditures from the County Liquid Fuels Tax Fund shall be made by the county commis-

sioners for new construction on roads or bridges without first having obtained the approval of the plans for such construction from the Department of Highways And provided further That the county commissioners shall not allocate moneys from the county liquid fuels tax fund to any political subdivisions within the county until the application and the contracts or plans for the proposed expenditures have been made on forms prescribed prepared and furnished and first approved by the Department of Highways The county commissioners of each county shall make to the Department of Highways on or before the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year on forms prescribed prepared and furnished by the Department of Highways a report showing the receipts and expenditures of such moneys received by the county from the Commonwealth under the provisions of this section Copies of such reports shall be transmitted to the department and to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any one of such reports or to make any payments allocations or expenditures in compliance with the provisions of this section the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed transmitted or said moneys allocated or said expenditures for the prior six months are approved by the Department of Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margle,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 743, as follows:

An Act to further amend paragraph one of section two hundred forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph one of section two hundred and forty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third

fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 464) is hereby further amended to read as follows

Section 246 Qualifications Eligibility Compensation The district attorney shall be a person learned in the law and who shall have resided in the county for which he is elected or appointed for two years next preceding his election or appointment and who is a resident of such county Provided however that in counties of the seventh and eighth classes the district attorney shall have resided in the county for which he is elected or appointed for one year next preceding his election or appointment and who is a resident of such county

* * * * *

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 759, on third reading, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 492), entitled "An act providing for the temporary appointment of policemen in boroughs, incorporated towns and townships of the first class, for a limited period, without conferring civil service status upon the appointees," permitting the conferring of civil status on appointees in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 761, as follows:

An Act to amend section three of Article VIII of the act approved the twenty-first day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons em-

ployed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of examining board members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of Article VIII of the act approved the twenty-first day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 3 For the purpose of examination of candidates for such certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said board shall consist of the district inspector of mines two (2) practical miners and one owner operator or superintendent of a mine The said inspector shall act ex-officio and the said engineer and owner operator or superintendent shall be appointed in like manner and at the same time as the boards of examiners for candidates for mine inspectorship under this act are now appointed The said board shall act as such for the period of one year from the date of their appointment Meetings of the board may be held at any time and they may make such rules and conduct such examinations as in their judgment may seem proper for the purpose of such examinations The said board shall report their action to the Secretary of Internal Affairs and at least three (3) of the members thereof shall certify to the qualification of each candidate who has passed such examination The traveling expenses of the members of such board to and from their place of meeting together with the sum of [five dollars] ten dollars per day each to the said two (2) practical miners and owner operator or superintendent members of each board for each day they are actually engaged therein not exceeding ten (10) days in all during the year shall be paid by the Commonwealth on an order of the Auditor General drawn on the State Treasurer upon the certificate of the mine inspector member of such board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 810, on third reading, entitled:

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 871, as follows:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Finance and Revenue of the Commonwealth of Pennsylvania shall have the power and it shall be its duty to hear and determine any petition for the refund of moneys paid into the State Treasury after September 1 1943 as a filing fee for filing a delayed certificate of birth provided such petition for refund is filed with the Board of Finance and Revenue within two years of the effective date of this act

Section 2 Any refunds allowed by the Board of Finance and Revenue under the provisions of this act shall be paid out of appropriations heretofore or hereafter made for such purpose

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Wade,	
Carr,	Heyburn,	Margie,	Wagner,

Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,

Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 884, as follows:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must be filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Finance and Revenue of the Commonwealth of Pennsylvania shall have the power and it shall be its duty to hear and determine any petition for the refund of moneys paid into the State Treasury under the provisions of the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) for documentary stamps which were not sold or used during the effective period of said act provided such petition for refund is filed with the Board of Finance and Revenue within one year of the effective date of this act

Section 2 Any refunds allowed by the Board of Finance and Revenue of moneys paid into the State Treasury under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) shall be paid out of appropriations heretofore or hereafter made for such purpose

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 887, on third reading, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance; to rating and advisory organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporation, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 888, on third reading, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, association, companies and corporations, and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 890, on third reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines, and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 895, on third reading, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 897, on third reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 898, as follows:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and

maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 774) is hereby further amended to read as follows

Section 532 The board of school directors of each school district of the class shall annually at or before the time of levying the annual school taxes prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments for the following fiscal year Such annual estimate shall be apportioned to the several classes of expenditures of the districts as the board of school directors thereof may determine The total amount of such estimate shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in the district

The board of school directors shall at least fifteen days prior to the time final action is taken on any budget publish by advertisement at least once in two newspapers of general circulation printed in the municipality in which such school district is located notice that such proposed budget has been prepared and is open to public inspection at the office of the board of school directors and such advertisement shall include a notice of public hearing on the proposed budget scheduled for at least ten days before final action is taken upon any budget

The board of public education in school districts of the first class may during any fiscal year make additional appropriations or increase the existing appropriations to meet emergencies the funds therefor to be provided from unexpended balances in existing appropriations from unappropriated revenues if any or from temporary loans Such additional appropriations and such temporary loans shall be authorized by the affirmative vote of two-thirds of all the members of the board

The board of public education shall have the power to transfer any unencumbered balance or any portion thereof from one appropriation to another or from one spending agency to another by the affirmative vote of two-thirds of all the members of the board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 908, on third reading, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 910, on third reading, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 919, as follows:

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the act approved the tenth day of May one thousand nine hundred thirty-nine (P. L. 101) is hereby amended to read as follows

Section 451 State Planning Board [The State Planning Board shall consist of nine members and the Secretary of Commerce ex officio who shall be chairman of the board Four of the nine member shall be appointed from among the heads of the chief executive officers of the administrative departments and the remaining five members shall be appointed from among the citizens of the State who during their terms shall hold no other State office to which any salary is attached

The term of office of members of the board shall be five years and until their successors are appointed and qualified Provided however That members who also are heads or chief executive officers of administrative departments shall not serve as members of the board beyond their term of office in such other State service Of the members of the board first appointer three shall be appointed for a term of one year three for a term of three years and three for a term of five years Thereafter all appointments shall be made for a term of five years In case of a vacancy the Governor shall make an appointment for the unexpired term

Six members of the board shall constitute a quorum

The State Planning Board shall consist of the Secretary of Commerce ex officio who shall be Chairman of the board and eleven members to be appointed by the Governor from among the citizens of the State who during their terms shall hold no other State office to which any salary is attached The Governor may appoint as additional members of the board executive officers of State administrative departments or agencies for such terms as he may determine but not beyond their term of office in such other State service Except as hereinafter provided the term of office of citizen members of the board shall be five years and until their successors are appointed and have qualified In case of a vacancy the Governor shall make an appointment for the unexpired term

The members of the board who have duly qualified as such and whose terms have not expired on the effective date of these amendments shall continue as members of the board until the expiration of their respective terms and until their successors are appointed and have qualified New members shall be appointed with due regard to the terms of existing members of the board so that of the board so that of the board as first constituted under these amendments the terms of two members shall be for one years the terms of two members for two years the terms of two members for three years the terms of two members for four years and the terms of three members for five years

A majority of the members of the board shall constitute a quorum

The members of the board shall serve without compensation but shall be entitled to receive traveling expenses incurred in the discharge of their duties

The board may with the approval of the Secretary of Commerce appoint and fix the compensation of a secretary who shall act as executive director of the board and who shall conduct the work of the board under its supervision The secretar shall hold no other position in the service of the Commonwealth or any political subdivision thereof and shall be technically qualified for the duties of his office

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn	Margie,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 961, as follows:

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding thereto a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

XIII.1 Ornamental Standards for Street Lighting On the petition of the owners of seventy-five per cent of the lineal feet frontage along any highway or portion thereof

in any village within the township to provide for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor along such highway or the portion thereof affected and to enter into contracts with electric as or other lighting companies to furnish and install such standards with the fittings and wiring therefor

The township commissioners shall assess or cause to be assessed the cost and expenses of the furnishing and installation of said standards fittings and underground wiring by an equal assessment on all property benefited by the furnishing and installation of such standards fittings and underground wiring in proportion to the number of feet the same fronts on the street or highway or portion thereof to be lighted The township commissioners may provide for an equitable reduction from the frontage of lots at intersections or where from the peculiar or pointed shape of lots an assessment of the full frontage would be inequitable No such assessment shall be made against and farm land but vacant lots between built-up sections whether tilled or untilled shall not be deemed to be farm lands All assessments for the cost of furnishing and installation of such standards fittings and underground wiring shall be filed with the township treasurer who shall give thirty days written or printed notice that the assessments are due and payable stating the due date to each party assessed either by service on the owner of the property or by mailing such notice to the owner at his last known post office address The township treasurer shall be entitled to the same commission for the collection of such assessments as he is entitled to by law for the collection of the township tax If the assessments or any of them remain unpaid at the expiration of a period not exceeding ninety days the exact time to be fixed by the township commissioners they shall be placed in the hands of the township solicitor for collection The solicitor shall collect the same together with five per centum (5%) as attorney's commission and interest from the date such assessments were due by a municipal claim filed against the property of the delinquent owner in like manner as municipal claims are by law filed and collected Where an owner has two or more lots against which there is an assessment all such lots may be embraced in one claim All assessments when collected shall be paid over to the township treasurer who shall receive and shall keep all such assessments collected in a separate account and pay out the same only upon orders signed by the president or vice president of the township commissioners attested by the secretary or assistant secretary The treasurer shall make a report to the auditor or controller of the township annually until all of such assessments are paid in full

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Harc,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1035, as follows:

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interester and to proceed to make collections thereon in accordance with the provisions of this section

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said subdivisions and prescribing penalties" is hereby amended to read as follows

Section 40 Collection of Taxes by Sureties of Defaulting or Deceased Collectors (a) When any tax collector shall default in the payment of the taxes charged on the duplicates either by embezzlement negligence or failure to collect such taxes within the time prescribed by this act it shall be lawful for the surety or sureties on his bond to demand from the tax collector the tax duplicates in which said sureties are interested and the tax collector shall turn over to his said sureties such duplicates of the various taxing districts for which he is collector

(b) If the tax collector shall fail neglect or refuse to turn over such duplicates upon demand made by his surety or sureties it shall be lawful for the surety or sureties to present a petition to the court of common pleas of the county in which such tax collector resides setting forth the fact that such collector has defaulted in making collections The court being satisfied that such default has been made shall make an order to compel the tax collector to turn over his sureties the tax duplicates upon which the sureties are liable

(b-1) When any tax collector shall have died and no executor or administrator within fifteen (15) days thereafter has been appointed to administer his estate the surety or sureties on his bond shall have the right and power after petitioning the court of common pleas of the county in which such deceased tax collector resided and after the said court has entered an order granting the prayer of the said petition to take over the tax duplicates in which said sureties are interested and to proceed to collect the taxes remaining unpaid such duplicates in accordance with the provisions of this section until such time as executor or administrator of the estate of the deceased tax collector shall be appointed at which time the said surety or sureties shall file an accounting of such collections in the court where the said order was entered and shall pay such undistributed fund to said executor or administrator

(c) The holders of such duplicates shall have the right to appoint a collector for such period of time as herein provided to collect the taxes remaining unpaid upon such duplicates any collector so appointed shall have all the

authority and power under the warrant issued to the original collector vested by this act The authorities issuing said warrents may issue an additional warrant to the collector of such delinquent taxes upon request of such sureties

(d) The provisions of any law extending the time or any warrant for the collection of taxes on duplicates shall likewise extend to the collection of taxes on such delinquent tax duplicates

(e) Whenever the surety or sureties on the bond of any defaulting or deceased tax collector shall under the provisions of this section undertake to collect delinquent taxes charged in any duplicate delivered to such defaulting tax collector by distress and sale of the goods and chattels of the delinquent or shall distrain on the goods and chattels of any person who shall allege that the taxes with which he stands charged have actually been paid or that such person whose goods and chattels have been distrained upon shall deny liability for such taxes then in either event the taxpayer may petition the court of quarter sessions of the county for a stay of any such sale of goods and chattels distrained upon setting forth the reasons therefor

The court shall have to stay such sale pending a hearing of the matter The court shall have power to fix a day for hearing of which due notice shall be given the surety or sureties of such defaulting or deceased tax collector as the court may prescribe

(f) If the court after hearing shall be of the opinion that a taxpayer has actually paid such taxes or is not liable for the taxes with which he stands charged on the duplicate it shall direct satisfaction to be entered on such duplicate by the surety or sureties

(g) The surety or sureties on the bond of any such defaulting or deceased tax collector or any taxpayer shall have the right upon demand made to have a jury pass upon the question whether or not a taxpayer has paid taxes with which he stands charged and if the jury shall find such taxes have been so paid the court shall direct the surety or sureties to enter satisfaction on the duplicate

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wagner,
Carr,	Heyburn,	Margie,	Walker,
Chapman,	Holland,	Rosenfeld,	Wade,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that tht Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 1057, on third reading, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and sell of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or any instrumentality thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1084, as follows:

An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was created

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Post-War Planning Commission is hereby abolished and the terms of all present members thereof terminated as of the effective date of this act

Section 2 The act approved the twenty-eight day of April one thousand nine hundred forty-three (P. L. 90) entitled "An act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation" is hereby repealed

Section 3 The provisions of this act shall become effective on the thirty-first day of May one thousand nine hundred forty seven

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
-------	----------	----------	-------

Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1085, as follows:

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and reappropriating the unexpended balance of the appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All the powers conferred and all the duties imposed on the Pennsylvania Post-War Planning Commission by the act to which this is a supplement are hereby transferred to and conferred or imposed on the State Planning Board for the purpose only of carrying into effect obligations covered by agreements made under the provisions of the act to which this is a supplement and which were approved by the Governor on or before the effective date of this act

Section 2 The unexpended balance of the appropriation made to the Pennsylvania Post-War Planning Commission by the act to which this is a supplement is hereby reappropriated to the State Planning Board for the purpose of carrying out the provisions of this act

Section 3 The provisions of this act shall become effective the thirty-first day of May one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order.

The Senate proceeded to the third reading and consideration of House Bill No. 1091, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by amending Sections 220 and 2413 and adding new Section 526 and 701(1) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission and to direct subject to approval by the Executive Board what records shall be preserved by photographic process and what assignment and utilization shall be made of space in the Capitol buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 220 of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of the State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 220 Departmental Offices Each administrative department and each independent administrative board and commission shall maintain a central office at Harrisburg in rooms assigned to it by the Governor [Board of Commissioners of Public Grounds and Buildings] The head of any department or any independent administrative board or commission may with the approval of the Governor establish and maintain at places other than Harrisburg in quarters assigned by the Board of Commissioners of Public Grounds and Buildings branch

offices for the conduct of any one or more functions of such department board or commission or of any departmental administrative or advisory board or commission in such department

Section 2 A new section to be known as section five hundred twenty-six shall be added immediately following section five hundred twenty-five to read as follows

Section 526 Filing and Record Systems The Governor shall from time to time cause studies to be made of the accumulations of files of correspondence reports records and other papers in possession of departments boards and commissions and may direct said departments boards or commissions to comply with the provisions of sections 524 and 525 of this act The requisitions warrants cancelled checks books records correspondence and files of the Department of the Auditor General the Department of Internal Affairs and the Treasury Department which date back a period of four years or more shall be expressly covered by the provisions of this section

Section 3 That section seven hundred one of said act is amended by adding thereto a new subsection (1) to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

* * * * *

(1) To prescribe the filing system to be adopted by each department board and commission to direct with the approval of the Executive Board what records shall be destroyed and what records preserved by photographic process and to assign space in the Capitol Buildings or in leased quarters for conduct of work and for storage of records

Section 4 Section two thousand four hundred thirteen of said act is hereby amended to read as follows

Section 2413 Board of Commissioners of Public Grounds and Buildings The Board of Commissioners of Public Grounds and Buildings shall have the power and its duty shall be

[(a) To assign rooms in the State Capitol to the Governor the General Assembly and the officers and committees thereof the Supreme and Superior Courts and the judges and officers thereof and as far as possible to the several administrative departments boards and commission of the State Government

(b) Whenever the Department of Property and Supplies shall have leased offices rooms or accommodations outside the Capitol buildings for the use of the administrative departments boards or commissions to assign such rooms to such administrative departments boards or commissions as cannot be adequately accommodated in the Capitol buildings]

[(c)] (a) To approve or disapprove proposed leases for branch offices rooms and accommodations outside the capital city [and to assign such offices rooms and accommodations if and when leased]

[(d)] (b) To approve or disapprove proposed purchases by the Department of Property and Supplies as purchasing agency of articles other than those on the department's schedules when a similar article is included on such schedules and to approve or disapprove departures from specifications contained in the schedules or from standard specifications for articles not included in the schedules by departments boards or commission having charge of State institutions

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1110, on third reading, entitled:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1163, as follows:

An Act to further amend section seven and amend section ten of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-five (P. L. 358) is hereby further amended to read as follows:

Section 7 [No person shall solicit or collect any contributions in money or other property for any of the purposes set forth in this act without a written authorization from the corporation copartnership or association for which the contribution is made and the authorization must be shown to any person on request. The authorization must be signed by an officer of the corporation or member of the copartnership or association for which the contribution is collected and must set forth the percentage of collection or other compensation for collection to be paid to the persons so soliciting or collecting contributions]

(a) No person corporation copartnership or association wheresoever situate shall solicit or collect contributions in money or other property for any of the purposes set forth in section one of this act

(1) For or on behalf of any person corporation copartnership or association nor manage direct or supervise such solicitation or collections nor furnish the plan or method therefor all exceptions or exemptions contained in section eleven of this act to the contrary notwithstanding

(2) And accept or receive pay bonus or compensation for so doing the amount or value of which in one year shall exceed one hundred fifty dollars (\$150) either in money or other thing of value whether as wages salary commission expenses fees for supervision or charges for the use of any plan or method

(3) Unless he or it shall have first registered with the Department of Welfare and given to it such information relative to his or its solicitation activity as may be required from time to time by the said department's rules or regulations

(b) It shall be unlawful for any person corporation copartnership or association so registering to use or exploit the fact of his or its having so registered to lead the public to believe that such registration in any wise constitutes an endorsement or certification of him or it or of any cause or organization for which he or it is soliciting or collecting

(c) No person corporation copartnership or association may solicit or collect any contributions in money or other property for or on behalf of any charitable corporation copartnership or association as hereinbefore defined without a written authorization from the corporation copartnership or association for which the contribution is made and the authorization must be shown to any person on request. The authorization must be signed by an officer of the corporation or a member of the copartnership or association for which the contribution is collected and must set forth the percentage of collection bonus or other compensation for collection to be paid to the person corporation copartnership or association so soliciting or collecting contributions

(d) No person corporation copartnership or association may accept or receive any bonus or compensation as set forth in subsection (a) hereof the amount or value of which shall exceed fifteen per cent of the gross sum of money or value of property actually collected

(e) Any person corporation copartnership or association which has accepted or received a bonus or compensation for collecting or soliciting as set forth in subsection (a) hereof exceeding fifteen per cent of the amount of money or value of property actually collected shall be obliged to repay or return the excess together with treble damages Any charitable corporation copartnership or association as defined by section one of this act may sue for and recover either in assumpsit or trespass such excess notwithstanding the fact that the officers of such charitable organization may have contracted in its name to pay such excessive compensation or bonus

Section 2 Section ten of said act is hereby amended to read as follows

Section 10 [Any person who or any copartnership association or corporation which violates any of the provisions of this act or any of the rules and regulations made under the authority of this act or fails to file any statement required to be filed within the period fixed by the law shall be guilty of a misdemeanor punishable in case of a corporation copartnership or association by a fine of not less than one hundred dollars or more than one thousand dollars in the case of an individual either by such fine or by imprisonment for not more than one year or both] (a) Any person or any corporation copartnership or association which violates any of the provisions of this act or any rules or regulations made under the authority hereof shall upon summary conviction before any magistrate alderman or justice of the peace be sentenced to pay a fine not to exceed one hundred dollars (\$100) and in case of an individual in default of payment thereof to undergo imprisonment not to exceed ten (10) days

(b) Any person who or any corporation copartnership or association which within the period of two (2) years shall commit two (2) or more violations of the provisions of this act or any rules or regulations made under the authority hereof or shall give false or incorrect information to the Department of Welfare in filing statements or reports required by this act or by such rules and regulations whether such report or statement is verified or not shall be guilty of a misdemeanor and punishable by a fine of not less than one hundred dollars (\$100) or more than one thousand dollars (\$1000) and in the case of an individual in addition to said fine may be punishable by imprisonment of not more than one (1) year

(c) The courts of equity of this Commonwealth are hereby given power upon the application of the Attorney General of this Commonwealth or the district attorney of the proper county to issue injunctions both temporary and permanent to restrain the commission of acts forbidden by the provisions of this act which power is in addition to all other powers conferred by law upon such courts of equity

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Margie,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of com-

mon pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to certain persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment to use membership qualifications as a means of limiting the number of employees available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employees; creating a Division of Conciliation in the Department of Labor and Industry; defining its powers and duties; providing procedures for collective bargaining, conciliation and arbitration; providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest; limiting right to strikes and lockouts; providing procedures for taking a secret ballot before a strike is instituted; providing for the determination of jurisdictional disputes; establishing financial responsibility of labor organizations, and their liability for suits for breach of contract.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 314, entitled:

An Act to further amend sections five and six of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by requiring all city, county or other public employees whether paid a per diem wage or otherwise, to become members of the pension system of such city, and removing optional rate of contribution.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 233), entitled "An act creating and establishing a fund for

the care, maintenance, and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; providing a pension fund for said employees; and providing for the payment of certain dues, fees, assessments, fines and appropriations thereto; regulating membership therein; creating a board for the management thereof; providing the amount, mode, and manner of payment to beneficiaries thereof, and for the care and disposition of said fund; providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds, organizations, corporations or associations having the same or similar purposes, and of such additional monies as may be necessary to carry out the provisions of this act," to fix terms for which personnel of board of managers shall be elected; to change the method of determining availability for disability pensions; to fix the amount of contributions of members and pension payments to beneficiaries, and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 426, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 478, on second reading, entitled:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 490, on second reading, entitled:

An Act to further amend clause (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of motor buses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 578, entitled:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and

unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on tax districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 585, on second reading, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by transferring certain institutions boards employees functions powers and duties from the Department of Welfare to the Department of Health

be recommitted to the Committee on Public Health and Welfare.

Mr. FRYBURN. Mr. President, I second the motion. The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 632, on second reading, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" increasing the minimum and maximum limits of license fees

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 644, on second reading, entitled:

An Act to prohibit the manufacture and sale of oleomargarine, or butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding-houses, for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; to regulate the manufacture, sale and advertising of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture, sale and advertising as an imitation butter; to prescribe penalties and punishment for violation of this Act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure, and to prescribe certain powers and duties of the Department of Agriculture.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The Senate proceeded to the second reading and consideration of Senate Bill No. 676, entitled:

An Act to further amend section six hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," providing for licensing of excess insurance brokers in all kinds of insurance other than life.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ offered the following amendment:

Amend Section 1, page 3, line 5, by inserting after the word "therein" and before the word "to" the following "who meets the qualifications imposed under section six hundred twenty-two of this act"

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. GELTZ offered the following amendment:

Amend the title, page 2, line 4, by inserting after the word "for" and before the word "licensing" the following: "qualifications and"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. GELTZ. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1340), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles; and to make uniform the law with reference thereto; requiring owners and operators in certain cases to furnish proof of financial responsibility; providing for the suspension of operator's licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer and prothonotaries; and prescribing penalties," by changing the effective date thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735 on second reading, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred

twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 771, on second reading, entitled:

An Act to further amend section one of the act, approved the thirteenth day of April, one thousand eight hundred eighty-seven (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1173, entitled:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants

and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1178, on second reading, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to non-profit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations re-reported as committed, Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole in part, for the care and treatment of mental patients; and repealing inconsistent laws," authorizing the Department of Welfare, with the approval of the Governor, to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. CHAPMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in place and presented to the Chair Senate Bill No. 791, entitled:

An Act authorizing the laying out and taking over by the Secretary of Highways with the approval of the Governor of a new State highway route in Warren Borough, Warren County; providing for its laying out, opening, construction, reconstruction and maintenance at the expense of the Commonwealth; and making an appropriation.

Which was committed to the Committee on Highways.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, May 26, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. FARRELL. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 1:37 o'clock, p. m., Eastern Standard Time until Monday, May 26, 1947, at 3:00 o'clock p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 22, 1947

The House met at 10:00 a. m. Eastern Standard Time.
The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Hon. Clarence M. Smith, a member of the House from Philadelphia offered the following prayer:

Unto Thy presence, Oh God, we come to acknowledge that Thou art God and besides Thee there is none other, pleading for the forgiveness of our sins and to ask for Thy sustaining grace.

Grant unto us Thy wisdom that we might rightly live. tion. Bless the peoples of the world that together we might not be lonely, and Thy strength that we might help others.

Bless the leaders of our Commonwealth and of our nation. Bless the peoples of the world that together we might make the kingdoms of this world to become the kingdoms of our God and of Christ. Give us, Oh Lord, Thy guidance in this, through Christ, Our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 21, 1947.

The Clerk proceeded to read the Journal of Wednesday, May 21, 1947, when, on motion of Mr. ANDREWS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Ragot for Mr. HOFFMAN and Mr. JONES for today's session.

BILL INTRODUCED AND REFERRED

By Mr. WORLEY. HOUSE BILL No. 1339.

An Act making an appropriation to the Department of Property and Supplies to purchase, repair, restore and maintain the Caleb Pusey House and the grounds surrounding the same in the borough of Upland, Delaware County, Pennsylvania, as an historic shrine.

Referred to the Committee on Appropriations.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. I rise to a question of personal privilege. The SPEAKER. The gentleman will state it.

Mr. TURNER. This morning the gentleman from Adams, Mr. Worley approached me to become a co-sponsor of a measure pertaining to an ancient dwelling down in our county, but I didn't know it was that kind of a house for new members.

The SPEAKER. The Chair might state to the gentleman that he is not qualified.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 56.

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith", by further providing for the appointment of assistant county superintendents.

Referred to the Committee on Education.

SENATE BILL No. 100.

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 204.

An Act establishing a uniform time for appeals to the Superior and Supreme Courts and from the Superior to the Supreme Court in all proceedings and repealing inconsistent acts

Referred to the Committee on Judiciary.

SENATE BILL No. 217.

An Act to amend subsection (d) of section two, and section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover; providing penalties, and making an appropriation;" providing a uniform method of condemnation and payment of damages in boroughs and cities.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 233.

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 470.

An Act authorizing the laying out and taking over, by the Secretary of Highways with the approval of the Governor, of new State highway routes in certain cases; providing for their laying out, opening, construction reconstruction and maintenance at the expense of the Commonwealth, and making an appropriation.

Referred to the Committee on Highways.

SENATE BILL No. 569.

An Act to further amend section eleven of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employees dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the compensation of district supervisors in counties of the first and second class.

Referred to the Committee on State Government.

SENATE BILL No. 581.

An Act to promote the education and educational facilities of the people of the Commonwealth of Pennsylvania; creating a State Public School Building Authority as a body corporate and politic, with power to construct, improve and operate projects, and to lease the same; and to fix and collect fees, rentals and charges for the use thereof; authorizing and regulating the issuance of bonds by said authority; and providing for the payment of such bonds and the rights of the holders thereof; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted under this act.

Referred to the Committee on Education.

SENATE BILL No. 633.

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 684.

An Act to further amend section one thousand two hundred fourteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the employment of supervising principals.

Referred to the Committee on Education.

SENATE BILL No. 696.

An Act to further amend section eight hundred twenty-eight of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of

this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" temporarily extending the suspension of the provisions thereof.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 727.

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

Referred to the Committee on State Government.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 10, 1947.

Whereas, Under Resolution, Serial Number 15 of the General Assembly of 1945, the Joint State Government Commission was directed to investigate, survey and consider all penal laws of the Commonwealth and to revise and restate such penal laws in codified form and to report its findings and conclusions at the next regular session of the General Assembly, and

Whereas, The laws of criminal procedure of the Commonwealth to better serve the efficient administration of justice are in need of similar study and codification, and

Whereas, Because of the great importance attached to both the proper study and codification of the penal laws and the laws relating to criminal procedure it would be advisable and advantageous to make further study of the penal laws in conjunction with a study of the laws relating to criminal procedure, therefore be it,

Resolved, (if the House of Representatives concur) That the Joint State Government Commission be directed to continue its survey, investigation and consideration of all the penal laws of the Commonwealth and in connection therewith to survey, investigate and consider the laws of the Commonwealth relating to criminal procedure and to completely revise and restate such penal laws and laws relating to criminal procedure into codified form and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of the penal laws and laws relating to criminal procedure of the Commonwealth to be introduced at the next regular session of the General Assembly:

The Legislative Reference Bureau shall prepare the

necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 601.

An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further regulating barrier pillars.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 498, 534, 670, 682 and 683.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 344.

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foreman assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foreman assistant mine foremen and fire bosses providing a penalty for gorging or making false statements regarding certificates" changing compensation of board members

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL NO. 344.

An Act to amend section four of the act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foreman assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications

defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for gorging or making false statements regarding certificates" changing compensation of board members

HOUSE BILL NO. 645.

An Act to further amend section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall undtr certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the Statae Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the schol district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of schol districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" permitting employment of male minors sixteen years of age or over in public bowling-alleys.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 21, 1947.

Resolved (if the House of Representatives concur), that Senate Bill No. 428, Printer's No. 196, entitled "An act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937 P. L. 2897), entitled 'An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry, and its existing and newly created agencies, with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls, to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collecting of such contributions and the payment of such com-

pensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer, and prescribing penalties,' by expressly excluding from the definition of 'employment' services of certain solicitors, agents and salesmen who are compensated on a commission basis," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. The Chair requests the gentleman from Lancaster, Mr. Royer, to preside during the first reading calendar.

Mr. ROYER IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 247, entitled:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Lake's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappawinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 381, entitled:

An Act permitting employes of counties of the second class to accumulate their annual sick leaves and making such right retroactive

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 654, entitled:

An Act to permit employes of cities (except of the first and second classes) boroughs towns and townships to accumulate annual vacation and sick leave in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial worker and others

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 700, entitled:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid fixing the interests of all taxing authorities where such lands are purchased by the city providing for the distribution of moneys received as income from or resale of such lands and providing for a method of reselling such lands purchased by the city or by the city and school district within said city at any sale for the nonpayment of taxes free and clear of all mortgages ground rents interest in or claims against said lands

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister and important historical shrine belonging to the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1162, entitled:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of election county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating to elections" further providing for payment of filing fees in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL PASSED OVER

The SPEAKER pro tempore. House Bill No. 1216 on page 5 of today's calendar, bills on first reading, is not in print and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1246, entitled

An Act making an appropriation to the Trustees of the University of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1250, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligation of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligation of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial Agricultural School Downingtown Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by the department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1260, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1262, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public nonsectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public road and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeoman (female) and nurses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1287, entitled:

An Act to provide for the change of object of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1301, entitled:

An Act to amend sections three and four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls" providing that vacancies on the board of managers shall be filled and persons employed with respect to such halls shall be veterans who were residents of the Commonwealth at time of enlistment or induction

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1309, entitled:

An Act concerning fish frogs terrapin animals of aquatic habits amphibian and other aquatic life in the waters of this commonwealth establishing ownership jurisdiction and control over the same enacting amending revising consolidating and changing the fish laws fixing penalties pro-

viding for enforcing the laws granting powers and authority to the Board of Fish Commissioners enlarging and conferring jurisdiction of magistrates justices of the peace aldermen and courts providing for establishment maintenance of a fish fund and the uses thereof providing for the taking transportation protection production and distribution of fish and aquatic life providing for acquisition and improvements of lands and waters for the production of fish establishing public fishing areas and repealing certain laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1336, entitled

An Act making an appropriation to the Berean Manual Training School, at Philadelphia, Pennsylvania, for the purpose of the maintenance of said school.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 310, entitled:

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs town townships certain school districts and vocational school districts conferring power and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 505, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 639, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter)
IN THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Lancaster, Mr. Royer, for presiding.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 788.

An Act to add clause XXVI to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 15 by striking out after the word "the" the words "adult taxable residents" and inserting in lieu thereof the words "property owners."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCosker,
Andrews,	Gallagher,	McCullough,
Bane,	Getchey,	McDonald,
Barrett,	Gibson,	McKinney,
Baumunk,	Goff,	McMillen,
Beech,	Goodling,	Mikula,
Bender,	Gorman,	Miller,
Bentzel,	Graybill,	Mills,
Bloom,	Greer,	Mintess,
Boles,	Greenwood,	Mohr,
Bonawitz,	Griffiths,	Mooney,
Boorse,	Guthrie,	Moore, C. E.,
Bower,	Gyger,	Moore, H. A.,
Breisch,	Hall,	Morrison,
Brice,	Haller,	Murray,
Brown,	Haudenschild,	Myers,

Brunner,	Helm,	Najaka,	Stuart,
Bucchin,	Henry,	Naumann,	Swope,
Cadwalader,	Hewitt,	Needham,	Tahl,
Capano,	Hocker,	Neff,	Thomassy,
Cassidy,	Hoopes,	Nelson,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cooper,	Kean,	Petrosky,	Verona,
Cordier,	Kelley,	Pichney,	Wachhaus,
Costa,	Kemp,	Pickens,	Wagner,
Crowley,	Kent,	Polaski,	Waldron,
Dague,	Kirley,	Powers,	Wallin,
Dalrymple,	Kline,	Price,	Walton,
Davison,	Kohl,	Propert,	Waterhouse,
De Long,	Kratz,	Ragot,	Watkins,
Demech,	Krise,	Readinger,	Watson,
Dennison,	Kurtz,	Reagan,	Weidner,
Deputy,	Laughner,	Reese D. P.,	Weiss,
Dix,	Layer,	Reese R. E.,	Wescott,
Dye,	Lee,	Reilly, J. M.,	West,
Efenberg,	Leisey,	Reilly, W. J.,	Wheeler,
Elder,	Livingston,	Richter,	Wolf,
Erb,	Livingstone,	Riley,	Wood,
Evans,	Loftus,	Robbins,	Worley,
Ewing,	Lovett,	Robertson,	Yeakel,
Feola,	Lyons,	Root,	Yester,
Flsh,	Madden,	Rose,	Yetzer,
Fiss,	Madigan,	Rowen,	Young,
Flack,	Mazza,	Royer,	Lichtenwalter,
Fleming,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—6

Foor,	Jones,	Schuster,	Trout,
Hoffman,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 57.

An Act to add section three thousand seven hundred twenty-two to the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.
The Clerk read the amendments as follows:

Amend section 1, page 2, line 9, by inserting after the word "purpose," the words "by public auction upon sealed bids or at private sale with approval of the court of common pleas provided nevertheless that before any such sale is made counsel shall advertise said proposed sale in accordance with the publication required under the contract sections of the third class city code" and by striking out on lines 15 through 20; page 3, lines 1 through 9; page 4, lines 1 through 20 and page 5, lines 1 through 5, as follows: "by any of the following methods and subject to the following provisions

(1) By public auction conducted by a licensed auctioneer either on the premises to be sold or at places selected by the council after due notice by publication in or on more newspapers of general circulation published

within the city and in the legal newspaper in the county if any once a week for three successive weeks before the date fixed for said sales and by hand bills one or more of which shall be posted on the property proposed to be sold and at least five of which shall be posted at conspicuous places within the vicinity of said real estate. The terms and conditions of the sale shall be fixed by the council in the ordinance authorizing the sales.

(2) Upon sealed bids requested by the council notice of the request for sealed bids to be given as in clause (1) of this section. The terms and conditions of the sale shall be fixed by the council in the ordinance authorizing the request for sealed bids.

(3) At Private Sale

(4) Any sale by whatever method made shall be subject to the approval of the court of common pleas of the county in which the city is located. Such authority shall be secured from the court upon petition of the city. The petition shall be executed by the proper officers and shall contain a full and complete description of the land proposed to be sold, a brief description and character of the building or buildings erected thereon if any, the name of the prospective purchaser, the amount offered for the property and shall have attached thereto an affidavit of at least two persons who are familiar with the values of real estate in the locality in which the land and buildings proposed to be sold are located to the effect that they have examined the property that the price offered therefor is a fair and reasonable one and in their opinion a better price than could be obtained at public sale and that they are not interested either directly or indirectly in the purchase or sale thereof. The court shall fix a time for the hearing of the petition and direct that public notice thereof be given as provided in clause (1) of this section. A return of sale shall be made to the court after the sale has been consummated and the deed executed and delivered.

(5) The council may at its discretion when selling real estate sell and convey such real estate to the purchasers for the accepted consideration payable partly in cash and partly in the form of a purchase money mortgage (and bond) to be paid in not more than five years from the date thereof and bearing interest at the rate of not less than five per centum. Such mortgage and bond shall contain the customary provisions having to do with fire insurance and the payment of taxes, water rents and assessments by the mortgagor and obligor.

(6) The council when selling property at private sale may engage the services of licensed real estate brokers to secure prospective purchasers and pay them the customary real estate agents' commission charged within the city but only in the event the sale is actually consummated by said brokers.

(7) The moneys derived from the sales of real estate shall be used for debt service or for capital expenditures.

On the question,

Will the House concur in the amendments made by the Senate?

Mr. RAGOT. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Scott,
Barrett,	Gibson,	McKinney,	Serrill,
Baumunk,	Goff,	McMillen,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boles,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,

Bower,	Gyger,	Moore, H. A.,	Stank,
Brelschi,	Hall,	Morrison,	Stimmel,
Brice,	Haller,	Murray,	Stockham,
Brown,	Haudenschild,	Myers,	Stonier,
Brunner,	Helm,	Najaka,	Stuart,
Bucchin,	Henry,	Naumann,	Swope,
Cadwalader,	Hewitt,	Needham,	Tahl,
Capano,	Hocker,	Neff,	Thomassy,
Cassidy,	Hoopes,	Nelson,	Thompson,
Chervanak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cooper,	Kean,	Petrosky,	Verona,
Cordier,	Kelley,	Pickens,	Wachhaus,
Costa,	Kemp,	Pichney,	Wagner,
Crowley,	Kent,	Polaski,	Waldron,
Dague,	Kirley,	Powers,	Wallin,
Dalrymple,	Kline,	Price,	Walton,
Davison,	Kohl,	Propert,	Waterhouse,
De Long,	Kratz,	Ragot,	Watkins,
Demech,	Krise,	Readinger,	Watson,
Dennison,	Kurtz,	Reagan,	Weidner,
Depuy,	Laughner,	Reese, D. P.,	Weiss,
Dix,	Layer,	Reese, R. E.,	Wescott,
Dye,	Lee,	Reilly, J. M.,	West,
Efenberg,	Leisey,	Reilly, W. J.,	Wheeler,
Elder,	Livingston,	Richter,	Wolf,
Erb,	Livingstone,	Riley,	Wood,
Evans,	Loftus,	Robbins,	Worley,
Ewing,	Lovett,	Robertson,	Yeakel,
Feola,	Lyons,	Root,	Yester,
Fish,	Madden,	Rose,	Yetzer,
Fiss,	Madigan,	Rowen,	Young,
Flack,	Mazza,	Royer,	Lichtenwalter,
Fleming,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—6

Foor,
Hoffman,

Jones,
Mihm,

Schuster,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 22, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile, edit and publish a revised compilation of laws relating to War Veterans and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making an appropriation

The first and second sections were separately read and agreed to.

The third section was read.

On the question,

Will the House agree to the section?

Mr. SPROUL offered the following amendments:

Amend Section 3, page 4, line 9, by striking out at the beginning of the line thereof the following: [As herein-after provided].

Amend Section 3, page 4, line 13, by striking out at the end of the line thereof the following: [Advertise].

Amend Section 3, page 4, by striking out lines 14 to 19, inclusive.

Amend Section 3, page 5, by striking out lines 1 and 2, inclusive, and inserting in lieu thereof the following: The manner and character of such advertisement and the time of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer.

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. SPROUL offered the following amendment:

Amend Section 4, page 5, line 14, by adding after the word "building" and before the word "as" the following: for anti-stream pollution projects and for flood control projects.

It was agreed to.

The section was agreed to as amended.

The fifth, sixth and seventh sections were separately read and agreed to.

The eighth section was read.

On the question,

Will the House agree to the section?

Mr. SPROUL offered the following amendment:

Amend Section 8, page 8, line 16, by inserting at the end of the line after the word "buildings" the following: for anti-stream pollution projects and for flood control projects.

It was agreed to.

The section was agreed to as amended.

The ninth, tenth and eleventh sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. SPROUL offered the following amendments.

Amend the title, page 1, line 2, by adding after the word "building" and before the word "creating" the following: for anti-stream pollution projects and for flood control projects.

Amend the title, page 1, last line, by striking out after the word "making" the following: [an appropriation]; and inserting in lieu thereof the following: appropriations.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 335, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-seven (P. L. 50), entitled "An act to permit

disabled soldiers to peddle by procuring a license therefor, without charge," prohibiting the imposition of taxes on such licenses.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Pennsylvania Historical and Museum Commission, to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester, Delaware County, as a historical site, providing for the control, management, supervision, improvement and maintenance thereof, authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof, and making an appropriation.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1188, entitled:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 219, Printer's No. 155

Senate Bill No. 241, Printer's No. 76,

Senate Bill No. 284, Printer's No. 353,

Senate Bill No. 314, Printer's No. 93 and

Senate Bill No. 316, Printers No. 94,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 337, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enroll-

ment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" clarifying the provisions relating to the time for giving change of party enrollment notice

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

The SPEAKER. Senate Bill No. 318, Printer's No. 373 on page 24 of today's calendar, bill on final passage is not in print and will be passed over.

BILLS ON THIRD READING

BILL PASSED OVER

The SPEAKER. House Bill No. 245, Printer's No. 652, on page 24 of today's calendar, bills on third reading, is not in print and will be passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All moneys accumulated in the State Treasury set aside by the State Treasurer and held in or repayable in accordance with existing laws into the Fire Insurance Tax Fund other than interest credited to such fund which remained as an undistributed surplus in said fund as of December thirty-first one thousand nine hundred forty-four are hereby specifically appropriated to and shall be paid by the State Treasurer to the several cities townships and boroughs in which firemen's relief funds firemen's retirement funds were maintained in the year one thousand nine hundred forty-four in the ratio that other moneys in the Fire Insurance Tax Fund were paid to said cities townships and boroughs for the year one thousand nine hundred forty-four in accordance with existing law provided that before any such payments are made the Secretary of Revenue with the approval of the Auditor General shall determine and adjust all inequalities in payment heretofore made resulting from charging to and withholding from any payment made to any city township or borough of any deficits for any preceding year or years where the amount so withheld had not actually been received by the city township or borough during such preceding year all amounts so determined shall first be paid to the cities townships and boroughs found to be entitled thereto and the balance of said undistributed surplus only shall be paid as hereinbefore provided

Each city township and borough treasurer receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund pension

fund or retirement fund of the fire department or fire company or companies paid or volunteer organized in such city township or borough as is or are engaged in the service of such city township or borough and duly recognized as such by the corporate authorities thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Scott,
Barrett,	Gibson,	McKinney,	Serrill,
Baumunk,	Goff,	McMillen,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Min'ess,	Snider,
Boies,	Green,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Brelsch,	Hall,	Morrison,	Stimmel,
Brice,	Haller,	Murray,	Stockham,
Brown,	Haudenschild,	Myers,	Stonier,
Brunner,	Helm,	Najaka,	Stuart,
Bucchin,	Henry,	Naumann,	Swope,
Cadwalader,	Hewitt,	Needham,	Tahl,
Capano,	Hocker,	Neff,	Thomassy,
Cassidy,	Hoopes,	Nelson,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cooper,	Kean,	Petrosky,	Verona,
Cordier,	Kelley,	Pichney,	Wachhaus,
Costa,	Kemp,	Pickens,	Wagner,
Crowley,	Kent,	Polaski,	Waldron,
Dague,	Kirley,	Powers,	Wallin,
Dalrymple,	Kline,	Price,	Walton,
Davison,	Kohl,	Propert,	Waterhouse,
De Long,	Kratz,	Ragot,	Watkins,
Demech,	Krise,	Readinger,	Watson,
Dennison,	Kurtz,	Reagan,	Weidner,
Depuy,	Laughner,	Reese, D. P.,	Weiss,
Dix,	Layer,	Reese, R. E.,	Wescott,
Dye,	Lee,	Reilly, J. M.,	West,
Efenberg,	Lelsey,	Reilly, W. J.,	Wheeler,
Elder,	Livingston,	Richter,	Wolf,
Erb,	Livingstone,	Riley,	Wood,
Evans,	Loftus,	Robbins,	Worley,
Ewing,	Lovett,	Robertson,	Yeakel,
Feola,	Lyons,	Root,	Yester,
Fish,	Madden,	Rose,	Yetzer,
Fiss,	Madigan,	Rowen,	Young,
Flack,	Mazza,	Royer,	Lichtenwalter,
Fleming,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—6.

For,	Jones,	Schuster,	Trout,
Hoffman,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 769, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Public Instruction to promote highway safety education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of eighty-five thousand dollars (\$85,000) or as much thereof as may be necessary is hereby appropriated out of the Motor License Fund to the Department of Public Instruction for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for the purpose of promoting highway safety education through the schools in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199.

Aaronson,	Frost,	McCosker,	Sax,
Andrews,	Gallagher,	McCullough,	Scanlon,
Bane,	Getchey,	McDonald,	Scott,
Barrett,	Gibson,	McKinney,	Serrill,
Baumunk,	Goff,	McMillen,	Shoemaker,
Beech,	Goodling,	Mikula,	Simons,
Bender,	Gorman,	Miller,	Smith, C. C.,
Bentzel,	Graybill,	Mills,	Smith, C. M.,
Bloom,	Greenwood,	Mintess,	Snider,
Boies,	Greer,	Mohr,	Sollenberger,
Bonawitz,	Griffiths,	Mooney,	Sorg,
Boorse,	Guthrie,	Moore, C. E.,	Sproul,
Bower,	Gyger,	Moore, H. A.,	Stank,
Brelsch,	Hall,	Morrison,	Stimmel,
Brice,	Haller,	Murray,	Stockham,
Brown,	Haudenschild,	Myers,	Stonier,
Brunner,	Helm,	Najaka,	Stuart,
Bucchin,	Henry,	Naumann,	Swope,
Cadwalader,	Hewitt,	Needham,	Tahl,
Capano,	Hocker,	Neff,	Thomassy,
Cassidy,	Hoopes,	Nelson,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Clevenger,	Jennings,	O'Donnell,	Toomey,
Cochran,	Johnson,	O'Neill,	Turner,
Cole,	Johnston,	Orban,	Upshur,
Cook,	Jump,	Patten,	Vaughan,
Cooper,	Kean,	Petrosky,	Verona,
Cordier,	Kelley,	Pichney,	Wachhaus,
Costa,	Kemp,	Pickens,	Wagner,
Crowley,	Kent,	Polaski,	Waldron,
Dague,	Kirley,	Powers,	Wallin,
Dalrymple,	Kline,	Price,	Walton,
Davison,	Kohl,	Propert,	Waterhouse,
De Long,	Kratz,	Ragot,	Watkins,
Demech,	Krise,	Readinger,	Watson,
Dennison,	Kurtz,	Reagan,	Weidner,
Depuy,	Laughner,	Reese, D. P.,	Weiss,
Dix,	Layer,	Reese, R. E.,	Wescott,
Dye,	Lee,	Reilly, J. M.,	West,
Efenberg,	Lelsey,	Reilly, W. J.,	Wheeler,
Elder,	Livingston,	Richter,	Wolf,
Erb,	Livingstone,	Riley,	Wood,
Evans,	Loftus,	Robbins,	Worley,
Ewing,	Lovett,	Robertson,	Yeakel,
Feola,	Lyons,	Root,	Yester,
Fish,	Madden,	Rose,	Yetzer,
Fiss,	Madigan,	Rowen,	Young,
Flack,	Mazza,	Royer,	Lichtenwalter,
Fleming,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—6.

For,	Jones,	Schuster,	Trout,
Hoffman,	Mihm,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,
House Bill No. 958, Printer's No. 640,
House Bill No. 982, Printer's No. 656,
House Bill No. 1318, Printer's No. 614,
Senate Bill No. 152, Printer's No. 245,
Senate Bill No. 246, Printer's No. 83,
Senate Bill No. 334, Printer's No. 354,
Senate Bill No. 338, Printer's No. 98 and
Senate Bill No. 478, Printer's No. 244.
were passed over at the request of the SPEAKER.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct the titles were publicly read as follows:

HOUSE BILL NO. 57.

An Act to add section three thousand seven hundred twenty-two to the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and buildings dedicated to park purposes.

HOUSE BILL NO. 788.

An Act to add clause XXVI to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing the establishment of districts for police protection and providing for an equal assessment on all property benefited by such protection.

SENATE BILL NO. 652.

An Act terminating the existence of the Pennsylvania Nautical School

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

PUBLIC SCHOOL SYSTEM

Mr. McMILLEN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 22, 1947.

Whereas, A commission to study and investigate the public school system of this Commonwealth was created by the 1943 session of the General Assembly, and extended in 1945; and

Whereas, An appropriation of \$50,000 was made to said commission to conduct such study and investigation and make a report of its findings and recommendations to the 947 session of the General Assembly; and

Whereas, The Commission to Study the Public School system, to date, has not filed a final report of its findings and recommendations; and

Whereas, This present session of the General Assembly is faced with a crisis in Public Education which must be solved; therefore, be it

Resolved, That the Executive Secretary of the said commission be directed to file with the membership of the House of Representatives, not later than Monday, May 26, 1947, at 10:00 o'clock a. m., D. S. T., (a) a statement of the reports filed to date, (b) a statement of the reports in preparation, and (c) a summary statement of the commission's recommendations on such topics as teachers' salaries, schedules, subsidies, and taxes relative thereto, as they were discussed or adopted in the regular meetings of the commission held subsequent to the close of the 1945 session of the General Assembly.

On the question,

Will the House adopt the resolution?

Mr. ANDREWS. Mr. Speaker, I don't know what the hurry is, but somebody seems to be in a great rush. I do not rise to oppose this resolution; indeed I rise to commend it. I am very much in favor of a disposition on the part of the majority to seek information as a basis of its action on facts.

I have pending in the Rules Committee a resolution asking the Chairman of the Education Committee to submit to this House certain definite data regarding teachers' salaries and taxes in other states. It has been comfortably reposing in that Committee for some time, although the information sought is very essential.

I have a resolution pending in committee dealing with the deplorable level of professional salaries in this State, and I just desire to call the attention of the House this morning to a statement carried in one of our Pittsburgh papers as follows:

"Empty Beds with Surplus of Patients—State lacks doctors and nurses in fight on tuberculosis.

"Empty beds in state tuberculosis hospitals, and people with tuberculosis trying to get into them—this is the grim picture facing state health authorities."

The statement is made by the Chief of the Bureau of Tuberculosis in the State Department of Health that there are fourteen hundred idle beds in this State and patients wanting to get into them. The reason for those beds being vacant is the deplorable salaries paid to professional personnel in our state institutions. I have a resolution designed to bring that fact out and to the attention of this House.

There are several other resolutions that are pending that will bring out information essential to the operation of this House, so I commend the gentleman from Indiana in his quest for facts, and I hope that other Members of this General Assembly will be equally diligent.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

CONCURRENT RESOLUTION

RECALLING HOUSE BILL NO. 438 FROM GOVERNOR

Mr. CHARLES C. SMITH offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 22, 1947.

Resolved (if the Senate concurs), that House Bill No. 438, Printer's No. 274, entitled "An act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled 'An act to empower

boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same' deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable to beneficiary designated in Pennsylvania," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTIONS

Mr. LAYER offered a resolution which was laid over under the Rules.

Mr. DeLONG offered a resolution which was laid over under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, on Monday I shall desire to interrogate the leadership regarding the status of the electrical roll call contract, as to whether there is a probability of cessation of work under that contract and whether or not the electrical roll call is something that is likely to come in the future or is a factor that is fast vanishing from our horizon.

ADJOURNMENT

Mr. POLASKI. Mr. Speaker, I move that this House do now adjourn until Monday, May 26, 1947 at 3:30 p. m. Eastern Standard Time.

The motion was agreed to, and (at 11:00 a. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., MONDAY, MAY 26, 1947.

No. 62.

SENATE

MONDAY, May 26, 1947

The Senate met at 3:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

O Thou who art the Grand Architect of the Universe and our Very God, we thank Thee for all high moments of faith, in Thee, in our fellowmen and in ourselves. When faith is present, moods of doubt seem treason to that changeless world where Thou dost hold forth in the uninvaded and unspoiled realm of the excellent and the true. As another day of service presents itself, may we breathe the pure air of high motive and resolute purpose. Help us to soar far above the dusty and musty planes of the base and trivial. Help us, like Abraham of old, to build an altar of pardon and peace, and may the memories of Thy past mercies kindle a fire of strength, of soul and body, so that in all our deliberations and in all our counselling, we may exhibit the true spirit of justice, equity and beneficence.

Make this historic chamber of our state life a place of vision, a lighthouse of hope, and a citadel of political economy. To this end inspire and challenge these honorable gentlemen of the Senate Body as they seek to effect the highest good for our state and nation.

Send us all forth to waiting tasks, grateful for a sacred heritage worth living and dying for. In His Holy name we pray. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. DONLAN, further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL NO. 381, PRINTER'S NO. 180

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 381, Printer's No. 180, entitled "An Act to further amend subsection (f) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' increasing the number of members of The Advisory Health Board requiring one of such members to be a licensed dentist and one to be a licensed pharmacist."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 652, PRINTER'S NO. 249

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 652, Printer's No. 249, entitled "An Act terminating the existence of the Pennsylvania Nautical School."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 47, PRINTER'S NO. 73

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 47, Printer's No. 73, entitled "An Act to amend Section 8 of the act approved

the first day of June one thousand nine hundred and forty-five (P. L. 1358) entitled 'An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties' by making further provision respecting the filing of chattel mortgages in prothonotaries' offices."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 49,
PRINTER'S NO. 46

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 49, Printer's No. 46, entitled "An Act providing that the statement of Registration issued to electors and his signed declaration of age shall be sufficient proof of age for the purchase of alcoholic beverages prohibiting transfers thereof and false statements imposing penalties and saving from prosecution licensees serving holders of such statements making such declarations."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 114,
PRINTER'S NO. 21

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 114, Printer's No. 21, entitled "An Act to amend section six of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (App Act page 40) entitled 'An act making an appropriation out of the Motor License Fund to the Joint State Government Commission of the General Assembly to make a thorough and impartial study to develop a sound and scientific financial highway program for the Commonwealth and the political subdivisions and an equitable basis for State aid to local governments for highway purposes authorizing consultation with research organizations of recognized national standing and defining its powers and duties' extending provisions thereof until next regular session of the General Assembly."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 194,
PRINTER'S NO. 27

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 194, Printer's No. 27, entitled "An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation not authorized to transact business in Pennsylvania and heretofore conveyed to a citizen or citizens of the United States or a corporation authorized to hold such real estate."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 231,
PRINTER'S NO. 221

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 231, Printer's No. 221, entitled "An Act to amend the title and Section 1 of the act approved the sixteenth day of May one thousand nine hundred and forty-five (P. L. 594 Number 249) entitled 'An act authorizing and empowering any corporation for profit heretofore or hereafter organized under any general or special law of this Commonwealth by action of its board of directors to make contributions out of its income in any taxable year for public and charitable purposes to the extent authorized approved or ratified by the by-laws of such corporation or by resolution of its shareholders and ratifying certain contributions, by removing certain limitations upon the power of corporations to make contributions for charitable purposes.'"

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 232,
PRINTER'S NO. 56

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 232, Printer's No. 56, entitled "An Act to amend Subsection 16 of Section 302 of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled 'An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' by removing certain limitations upon the power of corporations to make contributions for public and charitable purposes."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 239,
PRINTER'S NO. 271

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 239, Printer's No. 271, entitled "An Act to amend the last paragraph of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-three (P. L. 1433) entitled 'An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over six-

teen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto' further defining liability for support of children in private homes foster homes children's homes and institutions and providing for the enforcement thereof."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 250,
PRINTER'S NO. 178

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 250, Printer's No. 178, entitled "An Act permitting certain personnel of State-owned mental hospitals to certify as to the condition of mental patients in lieu of attendance in person before any court in certain cases."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 282,
PRINTER'S NO. 69

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 282, Printer's No. 69, entitled "An Act to amend article IX of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled 'An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employees prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts' by authorizing building and loan associations to grant chattel mortgages in certain cases."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 289,
PRINTER'S NO. 91

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 289, Printer's No. 91, entitled "An Act to further amend Sections four hundred ten and four hundred eleven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by providing an alternate method for marking boundary lines of regulated shooting grounds and authorizing fixing of shooting periods thereon under certain conditions."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL NO. 309,
PRINTER'S NO. 170

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 309, Printer's No. 170, entitled "An Act to further amend subsection (e) of section three of the act approved the first day of August one thousand nine hundred forty-one (P. L. 744) entitled 'An act requiring school boards in all school districts and boards of directors of all vocational school districts to grant leaves of absence to all school employees who shall volunteer or be called for military or naval service in time of war or during a state of national emergency preserving certain contracts salaries increments retirement rights seniority State contributions and grants to local school boards eligibility lists reemployment authorizing school boards and boards of directors of vocational schools to employ substitutes in place of such employees requiring school districts and vocational school districts to make additional payments into the School Employees' Retirement Fund reserving all rights and privileges of employees granted leaves of absence under the provisions herein and superseding or repealing all contrary laws' by providing that former school employees who entered the military or naval service may obtain credit for such period of service when they return to school service."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 311,
PRINTER'S No. 80

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 311, Printer's No. 80, entitled "An Act to amend section four and subsection (a) of section ten of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 816) entitled 'An act regulating and limiting the rights of slayers in real and personal property and in the benefits from insurance policies arising out of or as a result of the death of the person slain protecting and saving the rights of purchasers and insurers dealing with slayers without notice of the slaying and repealing certain legislation' by clarifying the wording thereof applicable when the slayer is a devisee legatee or appointee under the will of the person slain."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 335,
PRINTER'S No. 55

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 335, Printer's No. 55, entitled "An Act to amend section seventeen of the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 262) entitled 'An act relating to consumer credit in amounts of one thousand dollars (\$1000) or less requiring licenses from the Secretary of Banking restricting licenses to domestic business corporations fixing minimum capital requirements conferring certain powers on the Secretary of Banking limiting interest and other charges providing certain exemptions and imposing penalties' excluding domestic non-profit corporations operated exclusively by and for members of the medical and dental professions from the provisions thereof."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 370,
PRINTER'S No. 133

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 370, Printer's No. 133, entitled "An Act validating charters of and amendments of the articles of incorporation of certain non-profit corporations incorporated under the Nonprofit Corporation Law."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 391,
PRINTER'S No. 202

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 391, Printer's No. 202, entitled "An Act to further amend section seven hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' permitting licenses for temporary possession of game or game flesh to be issued by supervisors or district game protectors and extending such licenses to game birds."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 419,
PRINTER'S No. 157

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 419, Printer's No. 157, entitled "An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 433,
PRINTER'S No. 147

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 433, Printer's No. 147, entitled "An Act authorizing the Secretary of Property and Supplies to sell and convey a tract of land in Limerick Township Montgomery County Pennsylvania with the approval of the Governor."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 474,
PRINTER'S No. 216

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 474, Printer's No. 216, entitled "An Act to add clause (1) to section one thousand three hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the

boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' authorizing the Department of Public Instruction to fix the fees to be charged by professional examining boards."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 487,
PRINTER'S No. 168

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 487, Printer's No. 168, entitled "An Act to amend the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled 'An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties' changing the method of furnishing notices of taxes."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 515,
PRINTER'S No. 203

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 515, Printer's No. 203, entitled 'An Act to amend section three of the act approved the eleventh day of May one thousand nine hundred one (P. L. 166) entitled 'An act providing for the commutation of sentences for good behavior of convicts in prisons penitentiaries workhouses and county jails of this State and regulations governing the same' changing the day on which monthly reports shall be forwarded to the Governor."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 542,
PRINTER'S No. 222

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 542, Printer's No. 222, entitled "An Act to amend Section six hundred seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled 'An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto' by making it unlawful to disturb or tamper with traps set by agents of the Commissions."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 543,
PRINTER'S No. 186

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 543, Printer's No. 186, entitled "An Act ratifying confirming and validating certain sales of unused and unnecessary lands sold by any Board of School Directors."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 557,
PRINTER'S No. 251

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 557, Printer's No. 251, entitled "An Act providing for and regulating the merger and consolidation of corporations organized for the transportation and storage of oil or any petroleum products by means of pipe lines and tanks defining the rights and powers of the surviving or new corporation providing for the service of process on foreign corporations and defining the rights of dissenting stockholders."

JAMES H. DUFF.

APPROVED AND SIGNED SENATE BILL No. 612,
PRINTER'S No. 217

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 612, Printer's No. 217, entitled "An Act to further amend sections twenty-seven and forty-five and to add a new section to the act approved the seventh day of June one thousand nine hundred one (P. L. 493) entitled as amended 'An act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class second class A and third class and imposing fines penalties and forfeiture for violation thereof' prescribing further rules regulations and requirements for the construction of plumbing house drainage and cesspools."

JAMES H. DUFF.

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

PROTHONOTARY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Mary B. Ritchey, Loysburg, Bedford County, for appointment as Prothonotary of the court of Common Pleas, Clerk of the Court of Quarter Sessions of the Peace, Clerk of the Court of Oyer and Terminer, and Clerk of the

Orphans' Court in and for the County of Bedford, until the first Monday of January, 1948, vice Harry L. Ritchey, deceased.

JAMES H. DUFF

NOTARIES PUBLIC

He also presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 26, 1947.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Esther H. Brown, Pittsburgh, 3557 Bigelow Blvd.
Gilbert E. Schenck, Brentwood.

BERKS COUNTY

Richard Z. Kinard, Reading.

CAMBRIA COUNTY

A. J. Jackopin, Jr., Johnstown.

LUZERNE COUNTY

Miss Jessie E. Brittingham, Wilkes-Barre.
Mrs. Adelaide B. Lewis, Plymouth.

MONTGOMERY COUNTY

Warren M. Cornell, Jr., Hatboro.
Bruce W. Duddy, Bridgeport.
Miss Laurene B. Wiswell, Norristown.

PHILADELPHIA COUNTY

Cecil V. Hanson, Sr., Phila., 712 S. 18th St.
Miss Hazel C. Henderson, Phila., 2119 W. Oxford St.
Jose B. Henriques, Phila., 626 S. Second St.
Fred A. Riegel Jr., Phila., 743 W. Hunting Park Ave.
Miss Alicia Waser, Phila., Allegheny Avenue and Howard St. (33)

YORK COUNTY

Mrs. Dorothy L. Stouch, York.

JAMES H. DUFF

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. BERGER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahausen,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Willson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

COMMUNICATIONS FROM THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and laid on the table:

APPROVED AND SIGNED SENATE CONCURRENT
RESOLUTION RECALLING FORM THE GOVERNOR
SENATE BILL No. 428, PRINTER'S No. 196

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 428, Printer's No. 196, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

APPROVED AND SIGNED SENATE CONCURRENT
RESOLUTION RECALLING FROM THE GOVERNOR
SENATE BILL No. 477, PRINTER'S No. 143

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 477, Printer's No. 143, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

REPORT FROM COMMITTEE

Mr. WOLFE, from the Committee on Forests and Waters, Game and Fish reported as committed, House Bill No. 507, entitled:

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by restricting the payment of bounties to residents of the Commonwealth; reducing the penalty for presentation of illegal bounty claims; and clarifying the law with reference thereto.

BILLS INTRODUCED AND REFERRED

Messrs. HEYBURN and JASPAN read in their place and presented to the Chair Senate Bill No. 792, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer; requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers; requiring an affidavit of the consideration received before a new certificate of title is issued; providing for the revocation of dealer's licenses and imposing penalties for violations.

Which was committed to the Committee on Judiciary General.

Mr. JASPAN read in his place and presented to the Chair Senate Bill No. 793, entitled:

An Act in relation to the payment of allowed claims under motor vehicle liability insurance policies in the event of the insolvency of the insurer, and creating and providing for the management of a security fund and requiring contributions thereto.

Which was committed to the Committee on Insurance.

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 794, entitled:

An Act regulating the procedure for the ascertainment, determination and assessment of damages and benefits occasioned by the taking of property when the right of eminent domain is exercised by the Commonwealth.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 795, entitled:

An Act to further amend the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" by adding a new route in Lebanon County.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 796, entitled:

An Act to further amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" by adding a new route in Lebanon County.

Which was committed to the Committee on Highways.

Messrs TAYLOR and WADE, read in their places and presented to the Chair Senate Bill No. 797, entitled:

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the use of certain revenues for the acquisition of bridges.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 798, entitled:

An Act to further amend section two thousand nine of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for refund of registration deposits paid by prospective students from advancement fund of the respective State Teachers' Colleges.

Which was committed to the Committee on Education.

Mr. MAHANY read in his place and presented to the Chair Senate Bill No. 799, entitled:

An Act to further amend section forty-four of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594) entitled "An act establishing certain townships roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," adding a new route in Mercer County.

Which was committed to the Committee on Highways.

RESOLUTIONS

JOINT STATE GOVERNMENT COMMISSION TO MAKE STUDY OF PUBLIC LIBRARY SERVICES

Mr. HOMSHER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 26, 1947.

Whereas, There are approximately 2,900,000 citizens of the Commonwealth of Pennsylvania, or 30% of its total population that do not have access to free public library service; and

Whereas, Free public library service in Pennsylvania has not kept pace with other educational services, and great inequality of educational opportunity exists; and

Whereas, The Pennsylvania Library Association has long recognized this situation, and in the hope of remedying the inequalities needs the services of an expert, authoritative and governmental survey that may involve recommended fundamental changes in the basic library laws and financial theory of support; therefore, be it

Resolved, That the Joint State Government Commission is hereby requested to make a complete study of public library services throughout the Commonwealth and to report and recommend to the next regular session of the General Assembly such changes in the legal structure, organizing, supervising, and financing of such services as are desirable to promote the establishment of additional libraries, and the adequate maintenance of all public libraries throughout the Commonwealth.

HOUSE CONCURRENT RESOLUTION TAKEN FROM TABLE

Mr. CROWE. Mr. President, I call from the table House Concurrent Resolution No. 27, Serial No. 32, Printer's No. 130.

The resolution was twice read as follows:

ST. LAWRENCE SEAWAY AND POWER PROJECT

In the House of Representatives, March 18, 1947.

Whereas, The St. Lawrence Seaway and Power Project will produce no practical benefits for the people of the two countries it is designed to serve and

Whereas, The General Assembly and the citizens of this State are greatly concerned about the effect the completion of this project would have upon them; and

Whereas, The construction of the project would burden the taxpayers of this Commonwealth, and the United States, with an initial sum estimated at from \$543,000,000 to \$1,350,000,000, and experience in similar public works would indicate that this project would cost much more; and

Whereas, Existing facilities, the Welland Canal, which by-passes Niagara Falls, and the Great Lakes Channels, amply provide for the present lake traffic. The railroads on both sides in the United States and Canada have demonstrated that they are prepared to handle all through traffic offered; and

Whereas, With its channels closed to navigation for about five months of the year, due to ice and weather conditions, it would be unreasonable to expect the railroads to perform the required service during the period that navigation is closed and to be in a position to handle the peak load. The railroads would be required to maintain equipment that would be idle or little used for sixty per cent of the time, and have the added problem of maintaining the personnel organization. Great numbers would have to seek employment elsewhere while tonnage was moved by government subsidized competitors. This situation would greatly affect the ports of Erie and Philadelphia; and

Whereas, Sea-going boats cannot travel this great distance for nothing, and the saving in transportation costs would be exceedingly small, if any; and

Whereas, It would be disastrous to Great Lake shipping, injurious to American rail, highway and inland waterways services, and seriously harmful to the American coal and iron ore industries; and

Whereas, Electrical energy that would be generated could only be used at nearby points, as it has been demonstrated that the cost of transmission over long distances greatly exceeds that generated locally; and

Whereas, Such an agreement, if ratified, would reduce the expectation of manufacturing, mining and agricultural products of this Commonwealth, and result in loss of employment and contribute to increased taxation; therefore be it

Resolved (if the Senate concurs), that the General Assembly of Pennsylvania hereby memorializes the Congress of the United States not to approve the agreement for the construction of the St. Lawrence Seaway and Power Project, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

On the question,

Will the Senate agree to the resolution?

Mr. DENT. Mr. President and members of the Senate, this resolution is called the St. Lawrence Seaway and Power Project Resolution.

Every two years this same type of resolution appears

before the Senate and the House of Representatives. Two years ago it was passed, but at that time the Federal Congress was made up of a majority of democratic members. The interests behind this type of resolution, which is a restrictive resolution, would necessarily feel, two years ago, that they had to do something to try to call the attention of the Democratic House and Senate to this particular agreement between Canada and the United States, but this time the Federal Congress is made up of a majority of Republicans in the House and Senate, and it seems to me, if the leaders of the Republican party are together at all upon this problem, they need not go before the Senate or the House of Representatives with a memorializing resolution.

Apropos to this particular subject, the Republican Congressmen from Western Pennsylvania recently reprimanded the General Assembly of the state of Pennsylvania because they stated we were taking an interest in matters that are entirely foreign to any knowledge we may have on subjects before the United States Congress.

I might say to the members of the Senate that they should read this resolution before they vote upon it, because there are statements of fact made in this resolution that I doubt if any person in this Senate can verify.

For instance, in the fifth whereas clause, we find this statement:

"The railroads would be required to maintain equipment that would be idle or little used for sixty per cent of the time, and have the added problem of maintaining the personnel organization. Great numbers would have to seek employment elsewhere while tonnage was moved by government subsidized competitors. This situation would greatly affect the ports of Erie and Philadelphia."

Mr. President, I do not want to go into the merits or demerits of the St. Lawrence Seaway plan, but I could give a very accurate picture, I believe, of the situation as it relates to utilities. The basis of the argument against the signing of this agreement is not railroad tonnage, but it is really a question of whether or not there would be for public consumption public power at a much lower rate than now being provided by the utilities in that region.

Mr. President, further than that, I think the language in the sixth whereas clause is particularly informative, if you will listen for just a moment.

"Whereas, sea-going boats can not travel this great distance for nothing, and the savings in transportation costs would be exceedingly small, if any."

Who knows what the savings would be in transportation costs? How many persons in this room know the real reason for the St. Lawrence Seaway is to open up Eastern markets to the great Mid-West, with its vast multitude of products that could be moved to the Eastern markets, in order that the Eastern markets would receive goods they do not now receive because of the fact that they can not be brought to the markets on account of transportation facilities.

Mr. President, this Senate should not be asked to vote upon an important agreement such as this; because we are definitely casting our votes for or against an agreement between two nations, not between two counties, not between two states, but two separate nations, and the members of this assembly are not—I am sure that I, for one, am not acquainted with the international situation well enough

to state upon the Senate floor whether or not this agreement should be consummated between the Dominion of Canada and the United States of America.

I leave that problem to people who are conversant with our foreign relations and who are conversant with the problems that arise between the United States and the Dominion of Canada.

Therefore, Mr. President, I believe this resolution should either be sent back to committee or re-laid upon the table.

And the question recurring,

Will the Senate agree to the resolution?

Mr. MOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—30.

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Hare,	Snowden,	Walker,
Crider,	Heyburn,	Stevenson,	Watson,
Crowe,	Homsher,	Tallman,	Wilson,
Doehla,	Kephart,	Taylor,	Wolfe,
Donlan,	Letzler,	Tyler,	Wood, T. N.,
Farrell,	Lord,		

NAYS—9.

Barr,	Jaspan,	Leader,	Tarr,
Dent,	Klein,	Ruth,	Woodring,
Haluska,			

PRESENT—5.

DiSilvestro,	Margie,	Rahauser,	Stiefel,
Holland,			

So the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

ANNOUNCEMENT BY MINORITY LEADER

Mr. DENT. Mr. President, I want to announce from now on, that on any resolution memorializing Congress I will attempt to give a review, a full review, of the question that is before Congress, because it is embarrassing to members of the Senate, particularly conscientious members on this side of the Senate, who are interested in this problem, in keeping it from becoming a political football, when it means so much to the future welfare of the nation, and therefore these other problems that are purely Congressional problems, shall be reviewed in the Senate, on any question from now on, where there is a resolution memorializing Congress before this Senate Body.

PERSONAL PRIVILEGE

Mr. HALUSKA. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President and gentlemen of the Senate, the record will show that throughout the few sessions that I have been in this body, I have risen in my place on a number of occasions to discuss bills of great importance. Because of the number of bills that are still in committee and which have not come out, that is one reason why I have not so far taken an active part throughout this present session.

There are a number of bills that I am interested in and, if I am permitted to discuss them throughout the dying days of this session, I shall do so.

But today, Mr. President, I have one bill that I am very much interested in, and I believe that every member in this chamber should be interested in.

On the third day of February I offered Senate Bill No. 69, with reference to the salaries of members of the General Assembly. Mr. President, we are called upon throughout this session to adjust salaries of school teachers, labor, employees of the state and other people who are interested in making a livelihood, and yet we find that our own salaries are the same today as they were back in the early twenties. I realize that any increase in salary will not affect any member who is now serving in this body, unless he may be re-elected again.

But, Mr. President, permit me to take you back to 1941, and I know that many of the members will recall that session, when members of the House of Representatives were compelled to sleep in their automobiles, because they could not afford to stay in hotels throughout that long session of 1941.

Today again, Mr. President, we find members of the House of Representatives who can not make both ends meet. We are coming to the place now, Mr. President, where only men who may be wealthy can afford to seek the office of State Senator or to become a member of the House of Representatives; unless a man back home has an income, and a good income, he can not come to this chamber and stay five, six or seven months and hope to go back home and keep his family. This may be a minor thing to some men but I think it is a major problem.

We find that members of Congress today, Mr. President, are receiving in a biennium upwards of \$50,000. With all the money paid to a member of Congress he receives upwards of \$50,000 in two years, and yet, we, here in this chamber, in this body, receive the meager sum of \$3,000 in a biennium. We pay our own expenses, we try to keep ourselves fit here, somewhat in dignity, and at the same time keep our own families back home. I think we should have the courage to tackle this problem, since we are called upon to tackle the problems of other people.

My bill is not a radical bill. Under Senate Bill 69 I set up a salary schedule of \$200 per month for each member of the General Assembly, to be paid on the first day of each month as long as that member is in office. A special session would be without pay, and the members would be subject to call by the Governor to act upon any matter that he may deem necessary, without any extra pay. I also set up in that bill a mileage schedule of ten cents a mile. With that we pay our own expenses.

Our neighboring state of New York today pays \$5,000 per biennium. We pay \$3,000.

The only advancement that has taken place since I have been here, which now is fourteen years, was in this session, when the leadership of this Senate—and with much credit to them, that is, the Republican leadership—provided that each Senator would have a secretary throughout the session. That was the only advancement made within the last fourteen years since I have been a member of both this body and the House of Representatives. They stopped—they did not go far enough, of course.

Serving in this body, Mr. President, is a three hundred sixty-five day a year job, and certainly every member should be provided with a secretary to do his work, if he is sincere and honest throughout the time he is in

public office, because after we leave here, within the next few weeks, our work is not completed, as we are called upon daily—not I myself only, but every member of this body is called upon daily to serve his constituents; day and night we have requests, and certainly we should provide each member of the Senate at least with a full-time secretary throughout his tenure of office.

My bill, Mr. President, is in the Committee on State Government. I do not care whether it is my bill or somebody else's bill, but I do hope before we adjourn this session we will have the courage of our convictions and bring out some type of bill which adjusts salaries of the members of the General Assembly.

TIME OF NEXT MEETING

Mr. MALLERY, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, May 26, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, June 2, 1947, at three o'clock p. m., Eastern Standard Time, and when the House of Representatives adjourns this week it reconvene on Monday, June 2, 1947, at three-thirty o'clock, p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

IN MEMORIAM, ROY GRIER BOSTWICK

Mr. WALKER on behalf of Messrs. BARR, DOEHLA, GELTZ, HOLLAND, RAHAUSER, WOLFE and himself, offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 26, 1947

The Members of this Senate are grieved to learn of the death of Roy Grier Bostwick, Esquire, prominent citizen and attorney of Pittsburgh, on May 23, 1947.

A native of Dubois, he was educated in the public schools there: In 1905, he was graduated from Bucknell University where he attained Phi Beta Kappa and in 1908 from the University of Pittsburgh Law School. He was admitted to the Allegheny County Bar in 1909.

During World War I he served with the War Labor Board in Washington, D. C. holding the rank of Major. In World War II he was Chief of the blood bank donor service in the Pittsburgh area.

Mr. Bostwick held no public office, but served his community through a variety of social agencies. He was particularly active in the affairs of the Family Service Association, the Federation of Social Agencies of Pittsburgh, the Boy Scouts of America, and was an elder of the First Presbyterian Church of Wilkinsburg. He was a member of the Allegheny Board of Assistance. Interested in his alma mater throughout his life, he was honored to be President of the Board of Trustees of Bucknell University which earlier had awarded him the degree of doctor of laws.

Among the many fraternal and social organizations of which he was a member were the Duquesne Club, the Pittsburgh Field Club, the Longue Vue Club, the University Club, the Harvard-Princeton-Yale Club, and the Union League Club of New York. He was a 32nd degree Mason and a member of the Wilkinsburg Lodge No. 683, F. & A. M., Knights Templar, Pennsylvania Consistory and Syria Mosque.

For many years he was a leader of the Allegheny County Bar Association. In his private practice, he was always willing to help any person with a just cause, and he did so without the hope of financial remuneration.

His achievements as a lawyer grew and at the time of his death he was well known as an expert in corporation law.

Roy C. Bostwick was an inspiration to many young lawyers whom he befriended and advised in his long career. His life was an example of the life we all hope to live, one of service to his fellowmen, therefore be it

Resolved, That in the passing of Roy G. Bistwick, Esquire, his community and may friends have lost one who labored long and devotedly in their behalf, and be it further

Resolved, That in evidence of the deep sympathy of the Members of this Senate, the Secretary hereof shall transmit a copy of this resolution to his widow, Mrs. Marie Leiser Bostwick.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do now take a recess for ten minutes, in order that there may be a meeting of the Committee on Appropriations in the office of the Chairman of the Committee on Appropriations.

Mr. CHAPMAN. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORT FROM COMMITTEE

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations reported as committed, House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven.

He also, from the Committee on Appropriations reported as committed, Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

SENATE BILL NO. 428 RECALLED FROM GOVERNOR TAKEN FROM TABLE

Mr. TALLMAN. Mr. President, I call from the table Senate Bill No. 428, recalled from the Governor, for consideration at this time.

RECONSIDERATION OF SENATE BILL NO. 428

Mr. TALLMAN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 428 entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis.

passed finally

The PRESIDENT. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted with the majority.

Mr. HEYBURN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted with the majority.

The motion was agreed to.

The PRESIDENT. The bill will appear on the Final Passage Calendar.

BILL INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 800, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the classification of school districts.

Which was committed to the Committee on Education.

CALENDAR

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 493 as follows:

An Act to further amend clause Sixth of section three Section Four and to amend section eight of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases and further Providing for unlawful use of containers and other equipment and the enforcement of the provisions of the act.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause Sixth of section three and Section Four of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of aluterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing the standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" as amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1672) are hereby further amended to read as follows

Section 3 Ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and the coating thereof shall be deemed to be adulterated within the meaning of this act

* * * * *

Sixth If it is offered for sale from any container compartment or cabinet which contains any article other than ice cream custard ice cream french ice cream french custard frozen custard sherbet ice or fruit ice except that ice cream custard ice cream french ice cream french custard french custard sherbet ice or a fruit ice when properly wrapped or packaged by the manufacturer and in unbroken packages or containers for delivery to the consumer may be offered for sale from one or more separate compartments of a refrigerated container or cabinet of which other separate compartments contain properly wrapped unbroken and sealed packages of frozen foods ready for delivery to the consumer Nothing contained in this clause shall be construed to modify in any way Section Four of this act

Section 4 It is unlawful for any person association partnership or corporation to sell offer for sale expose for sale or have in possession with intent to sell any ice cream custard ice cream french ice cream french custard frozen custard sherbets ices or fruit ices in any container which is falsely labeled or branded as to the name of the manufacturer thereof or to misrepresent in any way the place of manufacture thereof or to fail to place on each original container or package the name and address of said manufacturer preceded by the words "manufactured by" or followed by the word "manufacturer"

It is unlawful for any person to use or cause or allow to be used any equipment cabinet can container or refrigerating device owned leased or maintained by one manufacturer or distributor for the purpose of preserving refrigerating or holding any ice cream custard ice cream french ice cream french custard frozen custard sherbet ice or fruit ice or any type of frozen food of another manufacturer or distributor or for any person knowingly to supply or place or deposit ice cream custard ice cream french ice cream french custard frozen custard sherbet ice or fruit ice or any type of frozen food of one manufacturer or distributor in any equipment cabinet can container or refrigerating device owned leased or maintained by another manufacturer or distributor for the purpose of preserving refrigerating or holding any ice cream custard ice cream french ice cream french custard frozen custard sherbet ice or fruit ice or any type of frozen food.

It is unlawful for any person to sell ice cream custard ice cream french ice cream french custard frozen custard sherbet ice or fruit ice or frozen foods knowingly or having reason to know that any of such products will be held preserved or refrigerated in the equipment cabinet can container or refrigerating device or equipment owned leased or maintained by another manufacturer or distributor

It is unlawful for any person other than the owner to

remove erase obliterate cover or conceal any manufacturer's or owner's name insignia device or distinguishing mark which may appear or be placed on any ice cream equipment cabinet can or other container

Section 2 Section eight of said act is hereby amended as follows

Section 8 The Department of Agriculture is charged with the enforcement of the provisions of this act Provided however that this provision shall not prevent any person or trade assoication from making complaints in the usual manner before any magistrate alderman or justice of the peace of any city borough incorporated town or township of this Commonwealth where the alleged violation took place for a violation of the provisions of this act

The Department is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Becker,	Frazier,	Mallery,	Wade,
Berger,	Geltz,	Rosenfeld,	Wagner,
Blass,	Hare,	Ruth,	Walker,
Chapman,	Heyburn,	Scarlett,	Watson,
Crider,	Homsher,	Snowden,	Wilson,
Crowe,	Kephart,	Stevenson,	Wolfe,
Doehla,	Letzler,	Taliman,	Wood, L. H.,
Donlan,	Lord,	Taylor,	Wood, T. N.,
Farrell,	Mahany,	Tyler,	

NAYS—11.

Barr,	Jaspan,	Margie,	Tarr,
DiSilvestro,	Klein,	Rahauser,	Woodring,
Haluska,	Leader,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 263, as follows:

An Act relating to firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There shall be paid over to the organization or association constituting and having in charge the distribution of firemen's pension funds in every city of the second class A one and one-half per centum (1½%) of all city taxes collected by the city other than taxes levied to pay interest on or to extinguish the debt of the city or any part thereof

Section 2 The organizations herein mentioned shall consist only of such as are by city ordinance designated as the official and authorized organization or association to hold receive and distribute the funds or moneys for the purpose of pensioning the firemen of said cities

Section 3 It shall be the duty of the city treasurer collecting said taxes to pay over to the proper officials of

the said organization or association constituting the firemen's pension funds annually the amount designated in this act taking his or their receipt for same which receipt shall constitute a voucher and quitance for the amount so paid

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Chapman,	Holland	Rahauser,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 272, on third reading, entitled:

An Act to further amend section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" increasing the period before which temporary professional employees may become professional employees

be placed on the Third reading postponed calendar.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 314, as follows:

An Act to further amend sections five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such

pensions" by further prescribing the employees that are required to become members of the pension system of such city and removing optional rate of contribution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities and all county or other public employees if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" as last amended by the act approved the eighth day of May one thousand nine hundred forty-five (P. L. 443) is hereby further amended to read as follows

Section 5 The city county or other public employees if any herein mentioned shall after the passage of this act pay unto the board of pensions monthly an amount equal to two per centum of their monthly salaries or wages—in no event however except as herein provided shall such employe be required to pay at a rate greater than four dollars a month—which shall be applied to the purposes of this act Whenever two per centum of the monthly salary or wages of any such employe shall exceed the sum of four dollars a month [and] then such employe [after signifying his or her consent in writing to the board of pensions] shall [be permitted to] pay unto the board of pensions four per centum of the portion of his or her salary or other compensation which is over and above the amount of salary or other compensation which is sufficient to require the monthly payment of four dollars a month at the rate of two per centum of such salary or other compensation and he or she shall thereafter be required to pay such increased monthly rate without regard to the limit of four dollars a month [which is herein imposed upon compulsory payments] Provided That such additional monthly payments shall not exceed eight dollars a month and the total monthly payment shall not exceed twelve dollars a month [Payments at a rate of more than four dollars a month shall not be made prior to September first one thousand nine hundred forty-five but shall begin immediately thereafter for all employees who on that date are members of the pension fund and who are eligible and have consented to make such increased monthly payments On and after September first one thousand nine hundred forty-five any employee who shall enter the pension fund and whose salary is sufficient to make him or her eligible to make monthly payments of more than four dollars a month shall at the time of entrance into the pension fund elect in writing whether his or her monthly payments shall be four dollars a month or at the increased rate hereinbefore provided Any employee who is a member of the pension fund on September first one thousand nine hundred forty-five and whose salary or other compensation is such as to require a monthly payment of four dollars or less unto the pension fund shall continue to make such payment but if and when his or her salary or other compensation shall be increased to an extent making such employe to make monthly payments of more than four dollars then such employe on the beginning date of such increased salary or compensation shall elect in writing whether his or her monthly payment shall be four dollars a month or at the increased rate hereinbefore provided] Payment of the monthly amount or contribution herein mentioned shall cease and be discontinued at the time the beneficiary receives the pension herein provided if such beneficiary has so contributed to the pension fund during a period of twenty years If at the time the beneficiary receives the pension herein provided he or she shall not have been a contributor to the pension fund during a period of twenty years such persons shall be required to pay unto the board of pensions an amount equal to four per centum of his or her monthly pension until such time as his or her contribution shall have extended during a period of twenty years If for any cause

an employe contributing to the pension fund shall cease to be an employe of any such cities of the first class or other county or public employes paid out of the treasury of such cities before said employe becomes entitled to the pension conferred by this act the total amount of the contributions paid into the pension fund by such employe shall be refunded to him in full, without interest. Provided however If any such employe shall have returned to him or her the amount contributed as aforesaid and shall afterward re-enter such public employment said employe shall not be entitled to the pension designated until twenty years after the said reemployment unless he or she shall return to the pension fund the amount withdrawn in which even the period of twenty years shall be computed from the time said employe first entered the such public service. In the event of the death of any employe before the said employe becomes entitled to the pension aforesaid the said total amount of contributions aforesaid shall be paid over to the state of said deceased employe.

Section 2 Section six of said act as amended by the act approved the fifth day of July one thousand nine hundred seventeen (P. L. 689) is hereby further amended to read as follows

Section 6 Should any person holding a position in [said cities] any city of the first class or any county or other public [employes] employe paid out of the treasury of any such [cities] city as aforesaid be [paid a per diem wage on a salary at a rate of three hundred and sixty dollars each year or less he or she] employed at temporary work with the understanding that it probably will be for a period of not more than three months such employe shall not be compelled to pay or contribute toward the pension fund herein provided for but shall have the option or choice of so doing and in that event only becoming entitled to the pension provided by this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz	Lord,	Tarr,
Becker,	Haluska	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn	Margie,	Wade,
Chapman,	Holland	Rahausen,	Wagner,
Crider,	Homsher	Rosenfeld,	Walker,
Crowe,	Jaspan	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Willson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Ehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 393, as follows:

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" are hereby amended to read as follows

Section 2 Hereafter it shall be lawful for any person copartnership association or corporation to sell or offer for sale at wholesale or retail in this Commonwealth fruits and vegetables in original unbroken standard containers as herein defined but sales in such original unbroken standard containers shall be lawful only if there shall appear thereon a plain and conspicuous statement showing correctly the quantity of fruits and vegetables contained therein in terms of weight measure [in cubical content] or numerical count and only if the containers shall have been filled or packed in accordance with good commercial practice. If the contents of an original standard container are broken for resale at wholesale or retail or if fruits and vegetables are sold in any other manner than in original unbroken standard containers then such sales shall be lawful only if made by weight or numerical count and in no other manner whatever. It shall be unlawful for any person copartnership association or corporation to sell or offer for sale at wholesale or retail any fruits or vegetables the weight of which is less than that represented

[Whenever the contents of any original unbroken standard container of fruits and vegetables are stated in terms of a bushel or subdivision of a bushel the bushel shall contain at least 2150.42 cubic inches struck measure and the subdivisions thereof shall contain the proper fractional parts of the number of cubic inches to the bushel as herein fixed]

Section 5 Any person copartnership association or corporation or his or its servants agents or employes who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding be sentenced for a first offense to pay a fine of not [more] [than twenty-five dollars or] more than fifty dollars and cost of prosecution and in default of the payment of such fine and costs of prosecution shall be sentenced to imprisonment for not [more] [than ten days] more than twenty days and for conviction in a summary proceeding for a second offense shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars or in default of such fine and costs of prosecution shall be sentenced to imprisonment for not [more] [than twenty days] more than forty days and any person copartnership association or corporation or his or its servants agents or employes who shall violate any of the provisions of this act for a third or subsequent time shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred and fifty dollars nor more than five hundred dollars or to undergo imprisonment for sixty days or both at the discretion of the court

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Geltz,	Lord,	Tarr,
Becker,	Haluska,	Mahany,	Taylor,
Berger,	Hare,	Mallery,	Tyler,
Blass,	Heyburn,	Margie,	Wade,
Chapman,	Holland,	Rahauser,	Wagner,
Crider,	Homsher,	Rosenfeld,	Walker,
Crowe,	Jaspan,	Ruth,	Watson,
Dent,	Kephart,	Scarlett,	Wilson,
DiSilvestro,	Klein,	Snowden,	Wolfe,
Doehla,	Lane,	Stevenson,	Wood, L. H.,
Donlan,	Leader,	Stiefel,	Wood, T. N.,
Farrell,	Letzler,	Tallman,	Woodring,
Frazier,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. WOODRING. Mr. President, I ask unanimous consent that House Bill No. 426, on third reading, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 477, on third reading, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 542, as follows:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title

This act shall be known and may be cited as the "Parking Authority Law"

Section 2 Findings and Declaration of Policy

It is hereby determined and declared as a matter of Legislative finding

(a) That residential decentralization in cities of the second class has been accompanied by an ever increasing trend in the number of persons entering the business sections by private automobile as compared with other modes of transportation

(b) That the free circulation of traffic of all kinds through the streets of cities of second class is necessary to the health safety and general welfare of the public whether residing in the city or traveling to through or from the city in the course of lawful pursuits

(c) That the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion on the streets of cities of the second class

(d) That the parking of motor vehicles on the streets has contributed to this congestion to such an extent as to interfere seriously with the primary use of such streets for the movement of traffic

(e) That such parking prevents the free circulation of traffic in through and from the city impedes rapid and effective fighting of fires and the disposition of police forces in the district and endangers the health safety and welfare of the general public

(f) That such parking threatens irreparable loss in valuations of property in the city which can no longer be readily reached by vehicular traffic

(g) That this parking crisis which threatens the welfare of the community can be reduced by providing sufficient off-street parking facilities properly located in the several residential commercial and industrial areas of the city

(h) That the establishment of a parking authority will promote the public safety convenience and welfare

(i) That it is intended that the authority cooperate with all existing parking facilities so that private enterprise and government may mutually provide adequate parking services for the convenience of the public

Therefore it is hereby declared to be the policy of the Commonwealth of Pennsylvania to promote the safety and welfare of the inhabitants thereof by the creation in second class cities of bodies corporate and politic to be known as "Parking Authorities" which shall exist and operate for the purposes contained in this act Such purposes are hereby declared to be public uses for which

public money may be spent and private property may be acquired by the exercise of the power of eminent domain

Section 3 Definitions

The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act

(b) The term "Board" shall mean the governing body of the Authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which the Authority is authorized to issue pursuant to section 5 of this act

(d) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(e) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(f) The term "Federal agency" shall mean and include the United States of America the President of the United States of America and any department or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(g) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(h) The term "persons" shall mean and include natural persons

(i) The term "project" shall mean any structure facility or undertaking which the Authority is authorized to acquire construct improve maintain or operate under the provisions of this act

(j) The term "city" shall mean city of the second class

(k) The term facility or "facilities" shall mean lot or lots buildings and structures above at or below the surface of the earth including equipment entrances exists fencing and all other accessories necessary or desirable for the safety and convenience of the parking of vehicles

Section 4 Method of Incorporation

(a) Whenever the city council of second class cities shall desire to organize an Authority under the provisions of this act it shall adopt a resolution or ordinance signifying their intention to do so

In the event that such resolution or ordinance sets forth the proposed articles of incorporation in full it shall not be required any law to the contrary notwithstanding in publishing such resolution or ordinance under the provisions of existing law to publish such proposed articles of incorporation in full but it shall be sufficient compliance with such law in such publication to set forth briefly the substances of such proposed articles of incorporation and to refer to the provisions of this act Thereafter the city council shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed Authority will be filed with the Secretary of the Commonwealth of Pennsylvania

(b) On or before the day specified in said notice the city council shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(1) The name of the Authority

(2) A statement that such Authority is formed under the provisions of this act

(3) The name of the city together with the names and addresses of its council members

(4) The names addresses and term of office of the first members of the board of said Authority

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by the incorporating city by its proper officer and under its municipal seal

(c) If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin when such certificate has been recorded in the office for the recording of deeds in the county where the principal office of the Authority is to be located Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

(d) When the Authority has been organized and its officers elected the secretary shall certify to the Secretary of the Commonwealth the names and addresses of its officers as well as principal office of the Authority Any change in the location of the principal office shall likewise be certified to the Secretary of the Commonwealth within ten (10) days after such change

Section 5 Purposes and Powers General

(a) The Authority incorporated under this act shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof and shall be known as the Parking Authority of the city but shall in no way be deemed to be an instrumentality of the city or engaged in the performance of a municipal function The Authority shall be for the purpose of conducting the necessary research activity to maintain current data leading to efficient operation of off-street parking facilities for the fulfillment of public needs in relation to parking establishing a permanent coordinated system of parking facilities planning designing locating ac-operating owning leasing either in the capacity of lessor or lessee land and facilities to be devoted to the parking of vehicles of any kind Provided however That the Authority shall not have the power to engage in the sale of gasoline the sale of automobile accessories automobile repair and service or any other garage service and shall not engage in the sale of any commodity of trade or commerce

The Authority shall have power to lease portions of the first floor of the parking facilities for commercial use where in the opinion of the Authority such leasing is desirable and feasible in order to assist in defraying the expenses of the Authority Such leases shall be granted on a fair competitive basis

(b) Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights or powers

(1) To have existence for a term of fifty years as a corporation

(2) To sue and be sued implead and be impleaded complain and defend in all courts

(3) To adopt use and alter at will a corporate seal

(4) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purpose of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time required by it

(5) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(6) To make by-laws for the management and regulation of its affairs

(7) To appoint officers agents employees and servants to prescribe their duties and to fix their compensation

(8) To fix alter charge and collect rates and other charges for its facilities at reasonable rates to be determined exclusively by it subject to appeal as hereinafter provided for the purposes of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the city Any person questioning the reasonableness of any rate fixed by the Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness of rates and other charges fixed altered charged or collected by the Authority Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

(9) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refunding bonds shall have a maturity date longer than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof

(10) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(11) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality corporation or Authority

(12) To have the power of eminent domain

(13) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(14) To do all acts and things necessary for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(15) To enter into contracts with the Commonwealth of Pennsylvania municipalities corporations or authorities for the use of any project of the Authority and fixing the amount to be paid therefor

(16) To enter into contracts of group insurance for the benefit of its employees and to set up a retirement or pension fund for such employees similar to that existing in the municipality where the principal office of the project is located

(c) The Authority shall have no power at any time or in any manner to pledge the credit or taxing power of the Commonwealth of Pennsylvania or any political subdivision nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 6 Purposes and Powers Bonds

(a) The bonds of any Authority hereinabove referred to and authorized to be issued shall be authorized by resolution of the board thereof and shall be of such series bear such date or dates mature at such time or times not exceeding forty years from their respective dates bear interest at such rate or rates not exceeding six per cent per annum payable semi-annually be in such denominations be in such form either coupon or

fully registered without coupons carry such registration exchangeability and interchangeability privileges be payable in such medium of payment and at such place or places be subject to such terms of redemption not exceeding one hundred five per cent of the principal amount thereof and be entitled to such priorities in the revenues or receipts of such Authority as such resolution or resolutions may provide The bonds shall be signed by such officers as the Authority shall determine and coupon bonds shall have attached thereto interest coupons bearing the facsimile signature of the treasurer of the Authority all as may be prescribed in such resolution or resolutions Any such bonds may be issued and delivered notwithstanding that one or more of the officers signing such bonds or the treasurer whose facsimile signature shall be upon the coupon or any officer thereof shall have ceased to be such officer or officers at the time when such bonds shall actually be delivered

Said bonds may be sold at public or private sale for such price or prices as the Authority shall determine provided that the interest cost to maturity of the money received for any issue of said bonds shall not exceed six per centum per annum Pending the preparation of the definite bonds interim receipts may be issued to the purchaser or purchasers of such bonds and may contain such terms and conditions as the Authority may determine

(b) Any resolution or resolutions authorizing any bonds may contain provisions which be part of the contract with the holders thereof as to (1) pledging the full faith and credit of the Authority for such obligations or restricting the same to all or any of the revenues of the Authority from all or any projects or properties (2) the construction improvement operation extension enlargement maintenance and repair of the project and the duties of the Authority with reference thereto (3) the terms and provisions of the bonds (4) limitations on the purposes to which the proceeds of the bonds then or thereafter to be issued or of any loan or grant by the United States may be applied (5) the rate of tolls and other charges for use of the facilities of or for the services rendered by the Authority (6) the setting aside of reserves or sinking funds and the regulation and disposition thereof (7) limitations on the issuance of additional bonds (8) the terms and provisions of any deed of trust or indenture securing the bonds or under which the same may be issued and (9) any other additional agreements with the holders of the bonds

(c) Any Authority may enter into any deeds of trust indentures or other agreements with any bank or trust company or other person or persons in the United States having power to enter into the same including any Federal agency as security for such bonds and may assign and pledge all or any of the revenues or receipts of the Authority thereunder Such deed of trust indenture or other agreement may contain such provisions as may be customary in such instruments or as the Authority may authorize including provisions as to (1) the construction improvement operation maintenance and repair of any project and the duties of the Authority with reference thereto (2) the application of funds and the safeguarding of funds on hand or on deposit (3) the rights and remedies of said trustee and the holders of the bonds which may include restrictions upon the individual right of action of such bondholder and (4) the terms and provisions of the bonds or the resolutions authorizing the issuance of the same

Said bonds shall have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

Section 7 Remedies of Bondholders

(a) The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed

of trust indenture or other agreement under which the same may be issued. In the event that the Authority shall default in the payment of principal or interest on any of the bonds after the said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the bondholders for the purpose herein provided.

(b) Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum or such other percentages as may be specified in any deed of trust indenture or other agreement aforesaid in principal amount of the bonds then outstanding shall in his or its own name

(1) by mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals or other charges adequate to carry out any agreement as to or pledge of the revenue or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(2) bring suit upon the bonds

(3) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(4) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(5) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid of the principal amount of the bonds then outstanding to annual such declaration and its consequences

(c) the court of common pleas of the county wherein the Authority is located shall have jurisdiction of any suit action or proceedings by the trustee on behalf of the bondholders. Any trustees when appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may enter and take possession of the facilities of the Authority or any part or parts thereof the revenues or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority or the board might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct. In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts which are or may be applicable to the payment of the bonds so in default. Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights

(d) nothing in this section or any other section of this

act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority. It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority.

Section 8 Governing Body

(a) The powers of each Authority shall be exercised by a board composed of five members the majority of whom shall be residents of such city and all of whom shall be residents of the county wherein the city is located. The mayor of the city shall appoint the members of the board one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the first day of June one thousand nine hundred forty-seven. Thereafter the said mayor shall not sooner than sixty days nor later than thirty days prior to June first in each year in which a vacancy occurs appoint a member of the board for a term of five years to succeed the member whose term expires on the first day of June next succeeding. Vacancies for unexpired terms that occur more than sixty days before the end of a term shall be promptly filled by appointment by the mayor. Members of the board may be removed at the will of the appointing power.

(b) Members shall hold office until their successors have been appointed and may succeed themselves. A member shall receive no compensation for his services but shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of his duties.

(c) The members of the board shall select from among themselves a chairman a vice-chairman and such other officers as the board may determine. The board may employ a secretary an executive director its own counsel and legal staff and such technical experts and such other agents and employees permanent or temporary as it may require and may determine the qualifications and fix the compensation of such persons. Three members of the board shall constitute a quorum for its meetings. Members of the board shall not be liable personally on the bonds or other obligations of the Authority and the rights of creditors shall be solely against such Authority. The board may delegate to one or more of its agents or employees such of its powers as it shall deem necessary to carry out the purposes of this act subject always to the supervision and control of the board. The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied.

Section 9 Acquisition of Lands

The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such rights title interest or easement in such lands as the Authority may deem necessary for any of the purposes mentioned in this act. Provided however That no property devoted to a public use nor any property of a public service company property used for burial purposes places of public worship nor property which at the effective date of this act is used as a facility or facilities for the parking of motor vehicles so long as said property is continuously so used and so long as the operation of the said facility complies with parking and traffic ordinances of the city shall be taken under the right of eminent

domain The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by cities of the second class Provided that the viewers may take into consideration and may assess damages for expenses incurred for the removal of fixtures equipment and merchandise

The right of eminent domain herein conferred by this section may be exercised only within the city

Court proceedings necessary to acquire property or property rights for purposes of this act shall take precedence over all causes not involving the public interest in all courts to the end that the provision of parking facilities be expedited

Section 10 Moneys of the Authority

All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the city creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders Every Authority shall have at least an annual examination of its books accounts and records by a certified public accountant A copy of such audit shall be delivered to the city creating the Authority A concise financial statement shall be published annually at least once in a newspaper of general circulation in the city where the principal office of the Authority is located If such publication is not made by the Authority the city shall publish such statement at the expense of the Authority If the Authority fails to make such an audit then the controller auditors or accountant designated by the city are hereby authorized and empowered from time to time to examine at the expense of the Authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs

The Attorney General of the Commonwealth of Pennsylvania shall have the right to examine the books accounts and records of any Authority

Section 11 Competition in Award of Contracts

(a) All construction reconstruction repairs or work of any nature made by any Authority where the entire cost value or amount of such construction reconstruction repairs or work including labor and materials shall exceed five hundred dollars (\$500.00) except reconstruction repairs or work done by employees of said Authority or by labor supplied under agreement with any Federal or State agency with supplies and materials purchased as hereinafter provided shall be done only under contract or contracts to be entered into by the Authority with the lowest responsible bidder upon proper terms after due public notice has been given asking for competitive bids as hereinafter provided No contract shall be entered into for construction or improvement or repair of any project or portion thereof unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performance of the contract All such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of

the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directed by the officers agents and employees of the Authority or otherwise than by contract

(b) All supplies and materials costing five hundred dollars (\$500.00) or more shall be purchased only after due advertisement as hereinafter provided Authority shall accept the lowest bid or bids kind quality and material being equal but the Authority shall have the right to reject any or all bids or select a single item from any bid The provisions as to bidding shall not apply to the purchase of patented and manufactured products offered for sale in a noncompetitive market or solely by a manufacturer's authorized dealer

(c) The terms advertisement or due public notice wherever used in this section shall mean a notice published at least ten (10) days before the award of any contract in a newspaper of general circulation published in the municipality where the Authority has its principal office and if no newspaper is published therein then by publication in a newspaper in the county where the Authority has its principal office

(d) No member of the Authority or officer or employee thereof shall either directly or indirectly be a party to or be in any manner interested in any contract or agreement with the Authority for any matter cause or thing whatsoever by reason whereof any liability or indebtedness shall in any way be created against such Authority If any contract or agreement shall be made in violation of the provisions of this section the same shall be null and void and no action shall be maintained thereon against such Authority

(e) Subject to the foregoing provisions any Authority may but without intending by this provision to limit any powers of such Authority enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof Provided however That the provisions of this section shall not apply to any case in which the Authority has taken over by transfer or assignment any contract authorized to be assigned to it under the provisions of section sixteen of this act nor to any contract in connection with the construction of any project which the Authority may have had transferred to it by any person or private corporation

Section 12 Use of Projects

The use of the facilities of the Authority and the operation of its business shall be subject to the rules and regulations from time to time adopted by the Authority Provided however That the Authority shall not be authorized to do anything which will impair the security of the holders of the obligations of the Authority or violate any agreements with them or for their benefits

Section 13 Limitation of Powers

The Commonwealth does hereby pledge to and agree with any person firm or corporation or Federal agency subscribing to or acquiring the bonds to be issued by the Authority for the construction extension improvement or enlargement of any project or part thereof that the Commonwealth will not limit or alter the rights hereby vested in the Authority until all bonds at any time issued together with the interest thereon are fully met and discharged The Commonwealth of Pennsylvania does further pledge to and agree with the United States and any other Federal agency that in the event that any Federal agency shall construct or contribute any funds for the construction extension improvement or enlargement of any project

or any portion thereof the Commonwealth will not alter or limit the rights and powers of the Authority in any manner which would be inconsistent with the continued maintenance and operation of the project or the improvement thereof or which would be inconsistent with the due performance of any agreements between the Authority and any such Federal agency and the Authority shall continue to have and may exercise all powers herein granted so long as the same shall be necessary or desirable for the carrying out of the purposes of this act and the purposes of the United States in the construction or improvement or enlargement of the project or such portion thereof

Section 14 Termination of Authority

When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge or any of the revenues or receipts of a project it may subject to any agreements concerning the operation or disposition of such projects convey such project to the city creating the Authority. When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the city and terminate its existence. A certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth. If the certificate is approved by the city creating the Authority by its ordinance or ordinances the said Secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county. Thereupon the property of said Authority shall pass to the city and the Authority shall cease to exist.

Section 15 Exemption from Taxation and Payments in Lieu of Taxes

The effectuation of the authorized purposes of Authorities created under this act shall and will be in all respects for the benefit of the residents of cities of the second class for the increase of their commerce and prosperity and for the improvement of their health safety and living conditions and since Authorities will be performing essential governmental functions in effectuating such purposes such Authorities shall not be required to pay any taxes or assessments upon any property acquired or used by them for such purposes. Provided however That in lieu of such taxes or special assessments an Authority may agree to make payments to the city or the county or any political subdivision. The bonds issued by any Authority their transfer and the income therefrom including any profits made on the sale thereof shall at all times be free from taxation within the Commonwealth of Pennsylvania.

Section 16 Transfer of Existing Facilities to Authority

(a) Any municipality or owner is hereby authorized to sell lease lend grant or convey to any Authority any project or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project. Any municipality is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality for the construction of projects not begun or if begun not completed. The territory served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall constitute the area in which such Authority shall be authorized to render service.

(b) No Authority shall acquire any device or means whatsoever including a consolidation merger purchase or lease or through the purchase of stock bonds or other securities the title to or the possession or use of all or any substantial portion of any project as defined in this act which said project is subject to the jurisdiction of the Pennsylvania Public Utility Commission without the approval of the commission evidenced by its certificate of public convenience first had and obtained in accordance

with the procedure and investigations as to value as provided in section two hundred three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) known as the "Public Utility Law" the commission shall also consider the earning power of the project in deciding the value thereof. The word "acquire" as used in this paragraph shall include only the acquisition of existing facilities.

The Authority shall first report to and advise the city by which it was created of the agreement to acquire including all its terms and conditions.

The proposed action of the Authority and the proposed agreement to acquire shall be approved by the city council. Such approval shall be by two-thirds vote of all of the members of the council.

(c) This section without reference to any other law shall be deemed complete for the acquisition by agreement of projects as defined in this act located wholly within or partially without the city causing such Authority to be incorporated any provisions of other laws to the contrary notwithstanding and no proceedings or other action shall be required except as herein prescribed.

Section 17 Constitutional Construction

The provisions of this act shall be severable and if any of the provisions thereof shall be held to be unconstitutional such decision shall not effect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 18 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 19 This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,	Farrell,	Leader,	Stiefel,
Becker,	Frazler,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Chapman,	Heyburn,	Mallery,	Wade,
Crider,	Holland,	Margie,	Wagner,
Crowe,	Homsher,	Rahauser,	Walker,
Dent,	Jaspan,	Rosenfeld,	Watson,
DiSilvestro,	Kephart,	Ruth,	Wolfe,
Doehla,	Klein,	Scarlett,	Wood, L. H.,
Donlan,	Lane,	Stevenson,	Wood, T. N.,
			Woodring,

NAYS—4

Hare,	Snowden,	Tallman,	Wilson,
-------	----------	----------	---------

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 546, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the

highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals and the records of magistrates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE AMENDMENTS OFFERED

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 578, as follows:

An Act amending revising and consolidating the laws relating to delinquent county city except of the first and second class and second class A borough town township school district except of the first class and institution district taxes providing when how and upon what property and to what extent liens shall be allowed for such taxes the return and entering of claims therefor the collection and adjudication of such claims sales of real property including seated and unseated lands subject to the lien of such tax claims the disposition of the proceeds thereof including State taxes and municipal claims recovered and the redemption of property providing for the discharge and divestiture by certain tax sales of all estates in property and of mortgages and liens on such property and the proceedings therefor creating a Tax Claim Bureau in each county except a county of the first class to act as agent for taxing districts defining its powers and duties including sales of property the management of property taken in sequestration and the management sale and disposition of property heretofore sold to the county commissioners taxing districts and trustees at tax sales providing a method for the service of process and notices imposing duties on taxing districts and their officers and on tax collectors and certain expenses on counties and for their reimbursement by taxing districts and repealing existing laws

	Table of Contents	Sections
Article I	Short Title Definitions	101 to 102
Article II	Tax Claim Bureau	201 to 208
Article III	Lien of Taxes Filing of Tax Returns Adjudication	301 to 315
Article IV	Sequestration	401 to 406
Article V	Redemption of Property Before Sale	501
Article VI	Sale of Property	601 to 617
Article VII	Property Purchased by Taxing District Prior to This Act	701 to 704
Article VIII	Repeals and Effective Date	801 to 804

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Article I

Short Title Definitions

Section 101 Short Title This act shall be known and may be cited as the "Real Estate Tax Sale Law"

Section 102 Definitions As used in this act the following words shall be construed as herein defined unless the context clearly indicates otherwise

"Bureau" the Tax Claim Bureau created by this act in the several counties

"Claim" a claim entered in a claim docket by the bureau to recover the taxes returned by the various taxing districts against a certain property

"Director" the director of the Tax Claim Bureau of the several counties and of cities of the first class

"Owner" the person in whose name the property is last registered if registered according to law and in all other cases means any person in open peaceable and notorious possession of the property as apparent owner or owners thereof or the reputed owner or owners thereof in the neighborhood of such property

"Property" real property subject to a tax lien or against which a claim is being or has been filed as a lien "Property" includes both seated and unseated lands

"Taxes" any county except of the first class city except of the first or second class borough incorporated town township school district except of the first class or institution district taxes and interest and penalties due thereon except where interest and penalties have been abated by provisions of law if the owner pays his delinquent taxes on the installment plan in which case interest and penalties shall be included as may be provided by the act abating the penalties and interest if there has been a default by the owner in the payment of any installment of taxes

"Taxing District" any county except a county of the first class city except a city of the first or second class or second class A borough incorporated town township school district except a school district of the first class or institution district Provided however That this act shall not be construed to require any city of the third class to collect its delinquent taxes on property under and in accordance with the provisions of this act if the city shall notify the Tax Claim Bureau in writing on or before the first day of May 1948 that pursuant to a resolution of the City Council the city has resolved that returns of property will not be made under the provisions of this act but that its delinquent taxes will be collected by the filing of liens in the office of the prothonotary or by sale of such property at a city treasurer's sale under existing laws any such city may in any year after 1948 notify the Tax Claim Bureau on or before the first day of May of the year that pursuant to a resolution of the city council the city has resolved to collect its delinquent taxes on property under and in accordance with the provisions of this act and thereafter the city's delinquent taxes shall be collected only under and in accordance with the provisions of this act

Article II

Tax Claim Bureau

Section 201 Creation of Bureaus A Tax Claim Bureau is hereby created in each of the counties hereinafter enumerated as follows

(a) In counties of the second third fourth fifth sixth seventh and eighth classes in the office of the county commissioners

Section 202 Appointment and Compensation of Personnel

(a) In counties of the second third fourth fifth sixth seventh and eighth classes the county commissioners shall have direct supervision and control of the bureau and shall have power to appoint a director and such employees and assistants as may be necessary to properly administer the affairs of the bureau but the number and compensation of such employees including the compensation of the director shall be fixed by the salary board of the county i those counties where there is a salary board and in all other counties by the county commissioners Such compensation shall be paid by the county from county funds County employees may be assigned by the county com-

missioners to act as the director or to other duties in the bureau

(b) The county solicitor shall be the legal advisor and counsel to the bureau solicitor may appoint such assistant solicitors at such salaries as shall be allowed by the salary board

Section 203 Bonds The county commissioners of each county of the second third fourth fifth sixth seventh and eighth classes shall have power to require the director of the bureau of the county and such employes and assistants of the bureau as may by them be designated to give bonds to the Commonwealth for the use of the taxing districts whose delinquent real estate tax claims are administered through such bureau and for the use of any other person having a claim by reason of any act of such director employes or assistants in such penal sum as the county commissioners shall fix conditioned for the faithful performance of the duties of their office or public position and a strict accounting and payment over of all moneys collected or received by them under the provisions of this act The cost of such bonds shall be paid by the county

Section 204 County Bureau to Certify Returns to County Treasurer for Collection Each county bureau shall certify to the county treasurer a copy of all returns of tax claims filed in its office and it shall be the duty of the county treasurer to receive and collect such taxes and give proper receipt therefor when payment is offered and to make distribution of the moneys received therefor as provided by this act A record of all taxes collected by him shall be certified to the bureau in the manner to be established under the provisions of the following section

Section 205 System of Accounting and Payment Over In each county bureau a system of accounting certifying of claims and collections and payment over of all moneys collected or received under the provisions of this act between the bureau and the county treasurer shall be established in the bureau as may be determined by the county commissioners the county controller if any and county treasurer

All taxes and municipal claims recovered in full by the bureau or by the county treasurer under the provisions of this act whether by payment by the owner before sale payment by a purchaser who has bid the upset price at a sale by redemption or through sequestration shall be paid over to the taxing districts entitled thereto In all other cases including net moneys received through sequestration or from the management or through public or private sale of property the moneys received shall be paid over first to the respective taxing districts in proportion to the taxes due them second the municipal claims against such property due any taxing district third mortgages and other liens in order of their priority and fourth except in cases of property purchased by a taxing district prior to the effective date of this act and turned over to the bureau for sale the balance remaining shall be paid to the owner of the property sold Such payments shall in all cases be less the percentage to which the county is entitled in accordance with this act Provided however That where by the sale or redemption of property tax liens of the Commonwealth are recovered payment shall first be made of the tax liens of the Commonwealth to the State Treasurer through the Department of Revenue and in the case of the public or private sale of property by the bureau after the continuance of a former sale because of insufficient bid the purchase price received shall first be applied to the satisfaction of the tax liens of the Commonwealth and shall be paid over in like manner

Moneys recovered on account of costs fees and expenses advanced by the county or any other taxing district shall be repaid to the taxing district making the advance

The bureau shall keep an accurate account of all moneys received by it or by the county treasurer under the provisions of this act and a separate account for each property

All payments out of moneys recovered shall be made by

the county treasurer under the system of accounting established at stated intervals but not less frequently than once every three (3) months

Section 206 Costs Fees and Expenses The county shall be liable or initially liable for all costs fees and expenses which shall be required to be paid to administer the affairs of the bureau and of this act including but not limited to costs of mailing and advertising notices fees for the entry of claims and proceedings thereon and all other proceedings required by this act except where otherwise provided by this act the costs of repairs and alteration to and insurance on property in sequestration or management commissions to rental agents advertising for rent title searches and salaries and compensation and the costs of bonds of officers employes and agents of the bureau and rental of offices furniture equipment material and supplies for the use of the bureau

All such costs fees and expenses shall be paid as other expenses of the county are paid from appropriations made by the county and not otherwise and when any of such costs fees and expenses are recovered they shall be deposited in the treasury of the county for the use of the county

Section 207 Reimbursement of County In order to reimburse the county for the actual costs and expenses of operating the bureau created by this act the county shall receive and retain out of all moneys collected or received under the provisions of this act two per centum (2%) thereof which percentage shall be deducted by the county treasurer before paying over moneys to the respective taxing districts entitled thereto and shall be retained in the county treasury for the use of the county The reimbursement herein provided for shall be in addition to the costs fees and expenses advanced by the county which upon recovery are payable to the county as provided by the preceding section of this act

Section 208 Agent of Taxing Districts Lien Certificates The bureau and the director thereof shall in the administration of this act be the agent of the taxing districts whose tax claims are returned to the bureau for collection and prosecution under the provisions of this act and in the management and disposition of property in accordance with the provisions of this act

The bureau shall upon request of any person furnish to him a lien certificate showing the taxes due on any property as shown by its records A fee of one dollar (\$1) shall be charged for any such certificate for the use of the county

Article III

Lien of Taxes Filing of Tax Return Adjudication

Section 301 Taxes a First Lien All taxes which may hereafter be lawfully levied on property in this Commonwealth by any taxing district and all taxes heretofore lawfully levied by any taxing district on any property the lien of which has not been lost under existing laws (whether or not a claim has been filed or return thereof has been made to the county commissioners) shall be and are hereby declared to be a first lien on said property Such liens shall have priority to and be fully paid and satisfied out of the proceeds of any public sale of said property held under the provisions of this act before any mortgage obligation judgment claim lien or estate with which the said property may have or shall become charged or for which it may become liable save and except only the costs of the sale and of the proceedings upon which it is made and tax liens in favor of the Commonwealth of Pennsylvania which shall have priority to such tax liens

Section 302 Who Entitled to Lien for Taxes The lien for taxes shall exist in favor of and the claim therefor shall be filed against the property taxed on behalf of the taxing district to which the tax is payable

Section 303 Property Subject to and Exempt from Claim All property by whomsoever owned and for whatsoever purpose used shall be subject to claims for taxes except

such property as is exempt by law from taxation or as is not made subject to taxation by law

Section 304 Tax Liens and Municipal Claims Divested by Sale The lien of all taxes and municipal claims now or hereafter imposed levied or assessed against any property shall be divested by any public sale of such property under the provisions of this act if the amount of the purchase money shall be at least equal to the amount of prior tax liens of the Commonwealth the amount of all taxes and municipal claims due on such property and costs of sale

It is hereby made the duty of the bureau and of any other officer having claims or judgments for taxes and municipal claims for collection against any property advertised to be sold at public sale under the provisions of this act to give notice to the officer or person selling any such property of the amount of tax liens of the Commonwealth and of the amount of all taxes and municipal claims against the same and the bureau selling such property shall through the county treasurer pay out the proceeds arising from such sale in the order of their priority first the costs of sale and the proceedings upon which it is made second the tax liens of the Commonwealth third taxes and costs due thereon fourth municipal claims and costs due thereon and fifth any balance remaining to whomsoever entitled thereto

Section 305 Claims Against Property Owned by Joint Tenants and Tenants in Common When any property is owned by joint tenants or tenants in common and any such tenant has paid his proportionate amount of taxes due thereon any taxing district may cause to be filed a claim for the unpaid taxes against the estate title and interest of the owners who have not paid their proportionate share of the taxes Whenever a claim for taxes shall have been filed against property owned by joint tenants or tenants in common the bureau shall release the estate title and interest of any joint tenant or tenant in common from said claim upon payment by said joint tenant or tenant in common of his proportionate share of the taxes included therein with proportionate costs When any property is owned by more than one owner or part owner and the estate and title of any owner or part owner is either exempt from taxation or has not been made subject by law to taxation the estate or title of such owner or owners as may not be exempt from taxation or as has been made subject thereto shall be subject to taxes in the same manner as any other property liable to assessment for taxes the claim being filed against all the estate title and interest of the owner or owners subject to the lien

Section 306 Return of Property and Delinquent Taxes Interest Settlements by Tax Collectors

(a) It shall be the duty of (1) the county commissioners of each county of the third fourth fifth sixth seventh and eighth classes as to county and institution district taxes and of the corporate authorities of each taxing district within any such county as to its taxes and of the county treasurer as to any unseated land taxes in his hands for collection (2) the county treasurer of each county of the second class as to county and county institution district taxes and of the corporate authorities of each taxing district within any such county as to its taxes to return to the county bureau on or before the first Monday of May of each year a list of all properties against which taxes were levied the whole or any part of which were due and payable in the calendar year immediately preceding which remain unpaid giving the description of each such property as it appears in the tax duplicate together with the amount of such unpaid taxes penalties and interest due to but not including the first Monday of May of the year of return Interest shall be charged on taxes so returned from and after the first Monday of May of the year of return at the rate of six per centum (6%) per annum

(b) The first return made by a taxing district under the provisions of this act shall also include all taxes for

any year or years preceding the year provided for by this section if the lien of such taxes has continued under existing law but a claim for such taxes has not been reduced to judgment and for such purpose the lien of such taxes shall be further continued for the purpose of making return of such taxes and the making of the claim therefor absolute under the provisions of this act

(c) No taxes shall be returned by any taxing district where the owner is paying his delinquent taxes under the provisions of any act of Assembly abating penalties interest and costs unless there has been a default in payment by the owner in which case or at any time when a yearly return is being made after any such default return shall be made of the balance due as fixed by the Act of Assembly abating penalties interest and costs or either The lien of all such taxes shall be continued for the purpose of making a return thereof and collecting the same under the provisions of this act

(d) The taxing district shall have power to require its tax collector to adjust his duplicate from time to time as may be required by the taxing district and to finally settle and adjust the tax duplicate in his possession within such time as will enable it to make the return herein provided for within the time required All laws providing for the adjustment and settlement of duplicates prior to the time fixed by the taxing districts as herein provided are hereby repealed insofar as they apply to the time fixed for the settlement of duplicates

Section 307 Filing Claims Testing Validity of Old Claims Joinder of Claim of Taxing Districts (a) Claims for taxes against property so returned must be entered by the bureau in the office thereof in suitable dockets

(b) Claims for taxes due on property heretofore returned to the county commissioners and certified to the county treasurer for tax sale purposes under existing law must if no sale on such claims has been held be transferred to the bureau from the office of the county treasurer on or before the first Monday of May one thousand nine hundred forty-eight In cases where an owner is paying taxes under the provisions of any act of Assembly abating penalties interest and costs or either the claims must likewise be transferred as herein provided but no costs involved in such transfer shall be chargeable to the owner so long as he is not in default in his payments Such costs shall be payable by the county except where there is a default

(c) Before the bureau makes any transfer of tax claims from the office of the county treasurer and enters the same in the proper dockets the director shall examine such returns and determine in writing those claims if any the liens of which in his opinion have been lost or the returns of which are invalid on their face and which cannot be corrected The director shall file his findings in the office of the bureau and copies thereof shall be furnished to any taxing district having an interest in any claims determined by the director to have been lost or invalid The director shall within ten (10) days after such filing give notice once a week for two (2) consecutive weeks in two (2) newspapers of general circulation if so many are published in the county and in the legal journal if any designated by the court for the publication of legal notices (1) of the date of his filing of such findings (2) where a copy of the findings may be secured and (3) that any taxing district having objection to the findings may file exceptions with the bureau within fifteen (15) days from the date of the filing of the findings If after hearing thereon the exceptions are disallowed by the bureau the taxing district may within fifteen (15) days thereafter appeal by petition to the court of common pleas specifically setting forth the findings to which objection is made the reasons therefor and the refusal of the bureau to sustain their exceptions Upon the filing of the petition in open court the court shall order the petition and the findings of the director and any other petitions filed docketed to the same number and shall fix a day for hearing the petitions of which

such notice shall be given to all parties interested as the court may direct. After hearing the court shall enter its order either affirming, modifying or reversing the findings of the director as to it shall appear just and proper. The claims held lost or invalid by the findings of the director where there has been no appeal or after affirmation or modification of such findings by the court or in the opinion of the court reversing the findings of the director shall not thereafter be further proceeded with. The decisions of the court shall be final.

(d) Not later than the thirtieth day of June each year the bureau shall make up from the tax returns received from the taxing districts as aforesaid a claim for each property returned which shall contain the unpaid taxes against such property which are due all taxing districts as found in the various returns. Such claims shall be entered by the bureau in a suitable claim docket and may be in the form of written or typewritten lists. A claim shall cover the unpaid taxes due all taxing districts but the amount due each taxing district shall nevertheless be shown separately. A number of years' taxes of different kinds may be included in one claim. Any claim shall be amendable by leave of the bureau upon notice to the defendant as the bureau may require.

Section 308 Notice of Filing of Returns and Entry of Claim

(a) Not later than the thirtieth day of June of each year the bureau shall give notice of the return of said taxes and the entry of such claim to each delinquent taxable by United States registered mail return receipt requested postage prepaid addressed to the owner at his last known post office address. If no post office address of the owner is known or if a notice mailed to an owner at such last known post office address is not delivered to him by the postal authorities then notice as herein provided shall immediately be posted on the property affected. Each mail and posted notice shall (1) show all the information shown on the claim entered (2) state that if payment of the amount due the several taxing districts for said taxes is not made to the county treasurer on or before the thirty-first day of December next following or no exceptions thereto filed the said claim shall become absolute (3) state that on July first of the year in which such notice is given the one (1) year period of redemption shall commence to run and that if redemption is not made during that period as provided by this act the property shall be sold at judicial sale and there shall be no further redemption after such sale.

(b) In the case of claims for taxes heretofore filed in the office of the prothonotary which have not been heretofore reduced to judgment where the lien of such claim has not been lost the respective taxing districts shall return to the bureau on or before the first Monday of May one thousand nine hundred forty-eight a complete list of such claims and the properties against which the same are filed and the bureau shall give such owners the same notice as above provided.

(c) Notice given in the manner provided by this section shall constitute proper service on the owner. A statement in the claim entered that due notice of the same was given shall be conclusive evidence that notice was given as required by law.

(d) The costs of such mail and posted notices shall be taxed as part of the costs of the proceedings and shall be paid by the owner the same as other costs.

Section 309 Contents of Claims Entered. All claims for taxes returned made up as a claim and entered in the claim docket in the bureau shall set forth

(a) The names of the taxing districts for which filed
(b) The name of the owner of the property against which it is filed

(c) A description of the property against which the claim is filed sufficient to identify the same. A description of the property shall be deemed sufficient if it contains (1) a reference to a record of a deed or other instrument of conveyance which describes the property or (2) a reference to the number or numbers and block of the

property in a plan recorded in the office of the recorder of deeds of the county and the record of such plan or (3) a reference to the number on any lot and block plan officially adopted by a taxing district or (4) a statement of the street and number of the property as officially designated by public authorities of a taxing district as of the time the property was assessed or (5) where the property is not identified by reference to the record of a deed or other instrument of conveyance and may not be identified by street and number or by recorded plan or by a lot and block plan a statement of the approximate acreage of the property and the name of at least one (1) owner of adjoining property if such statement is accompanied by information showing the character of and use to which the property is devoted as for instance "dwelling and lot" "vacant lot" "vacant land" or "hotel restaurant apartment house office building bank building manufacturing plant industrial plant and the lands belonging thereto" or "farm and the buildings thereon" or "plant nursery and buildings thereon" or "forest or woodland" or "wasteland" or "coal oil or other mineral severed from the surface" etc or intelligible abbreviations thereof. A variation in the description of the property given in the claim filed from that shown on the assessment for tax purposes shall not constitute an irregularity and shall not invalidate the claim. The aforesaid description shall not be deemed exclusive.

(d) The year or years period or periods for which the respective taxes were levied and the amount of taxes due for each year or period and the penalties and interest due thereon at the time of filing.

(e) That due notice of the returns of such taxes the entry of the claim and that the same would become absolute if no exceptions were filed was given to the owner in the manner required by law.

Said claim shall be entered in the office of the bureau in the proper claim docket and be signed by or have stamped thereon a facsimile signature of the director.

Section 310 Property Included in Claims. The property described in tax claims shall include the whole property against which the tax was levied. In all cases where a tax is levied on separate and distinct properties as one estate the taxing district shall upon request before a claim therefor is entered in the claim docket apportion the same rateably upon the separate and distinct properties. The bureau to which any such tax has been returned on proof that the properties were separate and distinct at the time the tax was levied shall apportion the charge against such properties. When apportioned they shall be treated and considered in all respects as if separate and distinct claims had been entered. Payment and satisfaction of any one portion may be made without prejudice to the claim as against the rest.

Section 311 Claims Become Absolute. On the first day of January next following the notice hereinbefore prescribed if the amount of the tax claim referred to in the notice has not been paid or no exceptions thereto filed the claim shall become absolute. Every such claim shall bear interest as hereinbefore provided to the date of payment or date of sale held under the provisions of this act except in the case of claims where the owner is paying his taxes under the provisions of any law abating penalties interest and costs or either in which case the claim shall bear no interest and costs unless there is a default in payment in which case interest shall run on the amount due on the claim at the time of default and penalties interest and costs abated shall be added as provided by the act of Assembly abating the same.

Section 312 Lien Lost if not Returned or Transferred to Bureau. Any such claim for taxes if such taxes were returned to the bureau or transferred from the office of the county treasurer to the bureau within the time required by this act shall remain a lien upon said property until fully paid and satisfied or until said property shall be sold as provided in this act. If a tax is not returned or transferred to the bureau within the time required by this act its lien on the property shall be wholly lost. But where a tax has not been returned or transferred as re-

quired by this act a taxing district may nevertheless proceed by action in assumpsit to recover the amount of any taxes due and owing by an owner at any time within six (6) years after the taxes first became due

Section 313 Substitution of Defendants Any taxing district may before or after return of a claim to the bureau but before such claim shall become absolute on its own motion strike off the name of any defendant in any claim filed and may substitute as a defendant any person who may have an interest in the property as owner or who is the personal representative of an owner who has died but such substitution shall always be without prejudice to any intervening rights and in such cases notice of the proposed substitution shall first be given by the taxing district to all parties in interest

Section 314 Proceeding to Attack Validity of Claim

(a) Any claim for taxes may prior to the time it becomes absolute be set aside or reduced in amount by the bureau in which it is filed if the claim is found invalid in whole or in part by reason of the fact that the taxes for which the claim was entered were paid in whole or in part to a proper officer or agent of the taxing district

Any such claim prior to the time it becomes absolute may be set aside or reduced in amount by the court of common pleas on appeal as hereinafter provided for any reason which constitutes a just sufficient and valid defense to the claim in whole or in part except want of notice of the return and entry of the claim by the bureau or for any dispute in the amount of the claim which involves the amount of the assessed valuation of the property or the validity of the tax levied

(b) Any defendant in any such claim at any time before the first day of January next following the notice as aforesaid may file with the bureau exceptions to the claim as entered or to any part of the claim. The bureau after giving due notice to the taxing districts interested shall hold a hearing thereon and either disallow the exceptions or allow the exceptions in whole or in part and strike off or reduce the claim in accordance with the evidence produced and the powers of the bureau as hereinbefore prescribed

If the defendant is aggrieved by the decision of the bureau he may within fifteen (15) days after notice thereof of appeal by petition to the court of common pleas of the county setting forth the defense he has to the claim or any part thereof and the refusal of the bureau to allow his exceptions and strike off or reduce the amount of the claim. Thereupon the court shall grant a rule on the taxing district or districts to show cause why the claim should not be set aside or reduced in amount as prayed for in the petition. The petitioners shall give notice of such proceeding to the bureau

(c) The issues raised by the petition and the answer thereto by the taxing district or districts shall be tried by the court or a jury

(d) The petition and the answer or answers thereto if an issue of fact is raised shall be endorsed with a statement signed by the party or his attorney in the following form

"Jury trial demanded" or

"Jury trial waived"

The endorsement of "jury trial waived" on both petition and answer or answers shall be deemed a waiver of a trial by jury of every issue in the proceeding

(e) No taxpayer shall have the right to proceed to open a claim absolute under the provisions of this act except on the ground of payment of the tax involved or failure to receive notice. The remedy provided by this section to contest a tax claim entered shall be deemed exclusive except as herein otherwise provided

(f) After verdict by the court or the jury the court shall by its final order either affirm or set the claim aside or reduce the amount of the claim and fix the proper amount thereof in accordance with the verdict and shall assess the costs of the proceedings as it shall determine. Any party aggrieved by the final order entered in the proceeding may appeal to the Superior or Supreme Court as in other cases. Upon final order of the court or upon

final disposition thereof upon appeal to the Supreme or Superior Court if the entire claim has not been set aside such return shall become absolute

Section 315 Entry and Indexing of Claims Satisfaction Every return made to and every claim made up by the bureau and the result of every proceeding thereon entered in accordance with this act shall be docketed in appropriate dockets in the office of the bureau and entered in suitable indexes and when so entered shall continue the lien of the tax against the property charged with the tax

When a claim is stricken off or reduced or satisfied by payment or a sale has been held of the property covered by the claim the director shall cause a note thereof to be made on such docket and index and shall authenticate the same

Article IV

Sequestration

Section 401 Petition for Sequestrator After the expiration of twenty (20) days from the time the claim becomes absolute except in cases where the property is essential to business of a quasipublic corporation the court shall on the petition of the bureau appoint it as sequestrator of the rents issues and profits of the property bound by the claim

Section 402 Authority for Petition The bureau may present any such petition on its own motion and shall do so at the request in writing of any taxing districts

Section 403 Procedure to Obtain Possession If either the owner against whom the claim is entered being in possession of the property sequestered or the party in possession refuse to pay a fair rent to the sequestrator the court shall upon the petition filed grant a rule on the property owner or party in possession to show cause why possession of the property should not be delivered to the sequestrator. The petition and rule shall be served on the owner or party in possession in such manner and within such time as the court may direct. If the rule is made absolute the court shall award a writ in the nature of a writ of habere facias possessionem directed to the owner or party in possession commanding him to deliver possession to the sequestrator within fifteen (15) days thereafter unless such property is occupied by the owner and his family for a home in which case he shall be commanded to deliver possession within thirty (30) days thereafter

Section 404 Powers of Sequestrator A sequestrator shall have power to retain possession of the property as sequestrator until all taxes owing to the several taxing districts shall have been collected or paid. He shall have power (a) to lease the property for a period not exceeding one (1) year with the usual privilege of renewal or termination thereof upon three (3) months' notice but not for the purpose of extracting any minerals or oil or the cutting of timber (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenable condition and to carry insurance on such property (c) to advertise the property for rent (d) to collect the costs of repairs advertising and commissions of rental agents from rentals collected or from a redeeming owner (e) to sell and dispose of growing crops and (f) to appoint a licensed real estate broker or agent as agent to collect the rentals of the property and pay such agents the customary commissions for rent collections. The bureau shall not in any case without prior approval of the county commissioners or in case of cities of the first class the city council incur any expense for the maintenance repair or alteration of any property in excess of eighty per centum (80%) of the amount of rental to be received from such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred. All commissions costs and necessary expenses shall be deducted from the rents collected before paying the net balance towards taxes

Section 405 Return of Possession Any owner of the property may redeem it from the sequestrator and be again entitled to possession thereof upon payment of the amount of taxes then owing upon the property after the

payment of commissions costs and expenses of the sequestration proceedings Upon payment of all taxes and costs or the satisfaction of the taxes and costs by collection of rentals the sequestrator shall transfer possession of the property to the owner subject to any existing lease given by the sequestrator which lease shall be assigned to the owner The sequestrator shall in such cases enter satisfaction on the record of the tax claim

In any case where it appears to the sequestrator that property taken into possession does not yield any revenue or not sufficient revenue to continue in possession thereof he may with the consent of the court return possession of the property to the owner subject to any existing lease given by the sequestrator and thereafter such property may be sold at the next sale held at least ninety (90) days after such return of possession in the manner provided by this act

Section 406 General Powers and Remedies of Sequestrator Sequestrators appointed under this act shall have and exercise all the powers and shall be entitled to use all remedies conferred by law upon sequestrators in other proceedings so far as applicable

Article V

Redemption of Property Before Sale

Section 501 Redemption of Property From Effects of Tax Claims

(a) Any owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representative or other person interested may within one (1) year after the first day of July of the year in which the claim was filed and notice given redeem such property for the benefit of the owner by payment to the bureau of the amount of the aforesaid claim and interest thereon the amount of any other tax claim or tax judgment due on such property and interest thereon and the amount of all accrued taxes which remain unpaid the record costs including pro rata costs of the notice or notices given in connection with the returns or claims

The bureau shall receive and receipt for said payments and shall make distribution thereof through the county treasurer to the taxing districts entitled thereto The bureau shall forthwith acknowledge the receipt of the redemption moneys by entering satisfaction on the record of the claim in the office of the bureau which shall be signed by the director

(b) When any property is so redeemed by a lien creditor or his heirs assigns or legal representatives or by any person interested for the benefit of the owner the bureau shall issue to the person redeeming such property a certificate stating the fact of such redemption a brief description of the property redeemed and the amount of the redemption money paid which certificate may be entered in the office of the prothonotary of the county as a judgment against the owner of the property for the amount stated therein The lien of any such judgment shall have priority over all other liens against such property in the same manner and to the same extent as the taxes involved in the redemption

(c) There shall be no redemption of any property after the sale thereof

Article VI

Sale of Property

Section 601 Date of Sale (a) Commencing on the second Monday of July of each year or on any day to which a sale may be adjourned or readjourned such adjournment not to be for a longer period than sixty (60) days or any day to which a sale may be continued the bureau shall sell such property (except where the property is essential to the business of quasi-public corporations) against which a tax claim has become absolute and the period of redemption has expired (without the property having been redeemed) or against which a tax judgment has heretofore been entered under any other law which judgment has not been satisfied and on which a sale has not been stayed by agreement in the manner hereinafter

provided and where the property subject to the claim or judgment is not or no longer remains in possession of the sequestrator The bureau may for convenience and because of the number of properties involved schedule sales of property in various taxing districts or wards thereof on different dates but all sales except as herein otherwise provided shall be held by the bureau by the end of the said calendar year Taxing districts shall notify the bureau of tax judgments which have prior to the effective date of this act been entered under any other law in order that properties subject to the lien of such judgments may be included in the sale

(b) No property shall be exposed to sale where the delinquent taxes involved in a claim are being paid by the owner under any law abating penalties interest and costs or either unless there has been a default by the owner in payment in which case the sale of the property shall be proceeded with as herein provided at the time fixed for the next scheduled sale occurring at least (90) days after such default

Section 602 Notice of Sale Prior to any scheduled sale the bureau shall give notice thereof once a week for three (3) consecutive weeks in two (2) newspapers of general circulation in the county if so many are published therein and once in the legal journal if any designated by the court for the publication of legal notices Such notice shall set forth (a) the purposes of such sale (b) the time of such sale (c) the place of such sale (d) the terms of the sale including the approximate upset price (e) the descriptions of the properties to be sold as stated in the claims entered each description commencing with "....."

Name of Owner

Description

The description may be given in intelligible abbreviations

Such published notice shall be addressed to the "owners of properties described in this notice and to all persons having tax liens tax judgments or municipal claims against such properties"

In addition to such publications notice of the sale shall also be given by the bureau by United States registered mail return receipt requested postage prepaid to each owner at least ten (10) days before the date of sale addressed to his last known post office address or if no post office address is known or if the notice addressed to the owner is not delivered to the owner by the postal authorities such notice shall be posted on the property

The published notice the mail notice and the posted notice shall each state that the sale of any property may at the option of the bureau be stayed if the owner thereof or any lien creditor of the owner on or before the date of sale enters into an agreement with the bureau to pay the taxes in instalments in the manner provided by this act and the agreement entered into

In case the property of any corporation limited partnership or joint-stock association is advertised for sale the bureau shall give to the Department of Revenue the notice required by section one thousand four hundred two of the Fiscal Code of the ninth day of April one thousand nine hundred twenty-nine (P. L. 343)

No sale shall be defeated and no title to property sold shall be invalidated because of proof that mail notice as herein required was not received by the owner

The costs of such advertisement and notices shall be taxed as part of the costs of such proceedings and shall be paid by the owner the same as other costs

Section 603 Agreements to Stay Sale Any owner or lien creditor of the owner may at the option of the bureau prior to the date of any scheduled sale enter into an agreement in writing with the bureau to stay the sale of the property upon the payment of twenty-five per centum (25%) of the amount due on all tax claims and tax judgments filed or entered against such property and the interest on the taxes returned to date as provided by this act and agreeing therein to pay the balance of said claims

and judgments and the interest thereon in not more than three (3) instalments (the last instalment to include all costs due) all within one (1) year of the date of said agreement the agreement to specify the dates on or before which each instalment shall be paid and the amount of each instalment and the costs So long as said agreement is being fully complied with by the taxpayer the sale of the property covered by the agreement shall be stayed But in case of default in such agreement by the owner or lien creditor the bureau after written notice of such default given by United States mail postage prepaid to the owner or lien creditor at the address stated in the agreement shall proceed with the sale of such property in the manner herein provided at the next scheduled sale of property to be held at least ninety (90) days after such default

Section 604 Sales of Property of Quasi-Public Corporation Where a claim becomes absolute and the property covered thereby is essential to the business of a quasi-public corporation the bureau shall have the right of execution thereupon as in cases of judgments against such corporations Upon the distribution of any fund realized by a sale of the franchises and the whole or any part of the property and assets of the corporation the court shall determine the actual value of the property bound by the tax claim and the claim shall be preferred with other like claims to the extent of the value of the property thus determined

Section 605 Upset Sale Price The bureau shall fix as the upset price to be realized at the sale of any property upon a claim absolute the sum of (a) the tax liens of the Commonwealth (b) the amount of the claim absolute and interest thereon on which the sale is being held (c) the amount of any other tax claim or tax judgment due on such property and interest on the judgment to the date of sale (d) the amount of all accrued taxes whether or not returned a record of which shall be furnished to the bureau by tax collectors receivers of taxes and taxing districts (e) the amount of the municipal claims against the property and (f) the record costs and costs of sale including pro rata costs of the publication of notice and costs of mail and posted notices in connection with the return of the claim and mail and posted notices of sale

It shall be the duty of all taxing districts having municipal claims against any such property to certify the amount thereof to the bureau for the purpose of including the same in the upset price

No sale of property shall be made by the bureau unless a bid equal to the upset price is made and where sufficient is not bid the sale shall be continued from month to month without further advertisement for not more than three (3) months in order to give the bureau a chance to sell the property at private sale or to petition court for an order to sell the same freed and discharged of all liens as hereinafter provided

Section 606 Payments by Purchasers at Sales The purchaser of any property at any such sale shall as soon as the property is struck down pay to the bureau the entire purchase money In case said amount is not so paid the sale shall be voided and the property shall be put up again at the same sale

Section 607 Bureau's Return to Court Notice Confirmation Appeal (a) It shall be the duty of the bureau not later than sixty (60) days after a scheduled sale was held to make a consolidated return to the court of common pleas of the county wherein it shall set forth (1) a brief description of each property exposed to sale (2) the name of the owner in whose name it was assessed (3) a reference to the record of the tax claim on which the sale was held (4) the time when and the newspapers in which the advertisement for sale was made with a copy of said advertisement (5) the time of sale (6) the name of the purchaser if any and (7) the price for which each property was sold or that no bid was made equal to the upset price and the property was not sold Upon the presentation of said return if it shall appear to said court that such sale has been regularly conducted under the provisions

of this act the said return and the sales so made shall be confirmed nisi

(b) The bureau shall at the expense of the county within ten (10) days after confirmation nisi of the return publish a general notice once in a newspaper of general circulation published in the county and in the legal journal if any designated by rules of court for the publication of legal notices stating (1) that the return of the bureau with respect to any such sale for taxes has been presented to the court (2) giving the date of such presentation and (3) that objections or exceptions thereto may be filed by any owner or lien creditor within sixty (60) days after the date of return otherwise the return will be confirmed absolutely

(c) In case no objections or exceptions are filed to any such sale within sixty (60) days after the date of return a decree of absolute confirmation shall be entered as of course by the prothonotary

(d) Any objections or exceptions to such a sale may question the regularity or legality of the proceedings of the bureau in respect to such sale but may not raise the legality of the taxes on which the sale was held or of the return thereof to the bureau or the claim entered therefor In case any objections or exceptions are filed they shall be disposed of according to the practice of the court If the same are overruled or set aside a decree of absolute confirmation shall be entered by the court

(e) If such objections or exceptions are sustained and the court deems the defect not amendable it shall by its order or decree invalidate the sale and order another sale to be held in conformity with this act at such time and under such conditions as it shall fix

(f) From the decision of the court of common pleas any party interested may appeal to the Supreme or Superior Court as in other cases

(g) If no objections or exceptions are filed or where objections or exceptions are finally overruled and the sale confirmed absolutely the validity of the tax its return for nonpayment the entry of the claim or the making of such claim absolute and the proceedings of the bureau with respect to such sale or the time of holding the sale or of petitioning court for an order of sale shall not thereafter be inquired into judicially in equity or by civil proceedings by the person in whose name such property was sold his or her or theirs or his her of their grantees or assigns or by any lien creditor or other person whatever There shall be no period of redemption after such sale and the sale shall be deemed to pass a good and valid title to the purchaser free from any liens or encumbrances whatsoever except such liens as are hereafter specifically saved and in all respects as valid and effective as if acquired by a sheriff's deed

Section 608 Deed When the purchaser has paid the amount of his bid it shall be the duty of the bureau to make to the said purchaser his or their heirs or assigns a deed in fee simple for the property sold Each such deed shall be duly acknowledged before the prothonotary by the director and a notation of such deed and acknowledgment shall be duly entered on the proper records The deed shall before delivery be recorded in the office for the recording of deeds at the cost of the purchaser

Section 609 Certain Liens Divested by Sale Every such sale shall discharge the lien of every obligation claim lien or estate with which said property may have or shall become charged or for which it may become liable except no such sale shall discharge the lien of any ground rent or mortgage which shall have been recorded before such taxes became liens and which is or shall be prior to all other liens except other mortgages and ground rents

Section 610 Proceedings When Upset Price Not Bid In cases where the upset price shall not be bid at any such sale the property shall not be sold at that time and the sale shall be continued from month to month for not more than three (3) months without further advertising and the bureau shall sometime within one (1) year from the date of such sale file its petition in the court

of common pleas of the county setting forth the tax claim upon which the property was exposed for sale that neither the owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representatives or other person interested has redeemed the property that the property was exposed to public sale and the date of such sale that before exposing the property to public sale the bureau fixed an upset price as herein provided and that it was unable to obtain a bid sufficient to pay said upset price Upon the presentation of such petition accompanied with searches showing the state of the record and the ownership of the property and all tax and municipal claims liens mortgages and ground rents against the same the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims liens mortgages and ground rents The rule shall be made returnable in not more than thirty (30) days from the date the petition was presented

Section 611 Service of rule Service of the rule shall be made in the same manner as writs of scire facias are served in this Commonwealth When service cannot be made in the county where the rule was granted the sheriff of the county shall deputize the sheriff of any other county in this Commonwealth where service can be made If service of the rule cannot be made in this Commonwealth then the rule shall be served on the person named in the rule by the sheriff by sending him by registered mail return receipt requested postage prepaid at least fifteen (15) days before the return day of the rule a true and attested copy thereof addressed to such persons last known post office address The sheriff shall attach to his return the return receipts and if the person named in the rule has refused to accept the registered mail or cannot be found at his last known address shall attach evidence thereof This shall constitute sufficient service under this act

Section 612 Hearing and Order If upon hearing the court is satisfied that service of the rule has been made upon the parties named in the rule in the manner provided by this act and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court freed and cleared of all tax and municipal claims mortgages liens charges and estates of whatsoever kind to the highest bidder and that the purchaser at such sale shall take and thereafter have an absolute title to the property sold free and clear of all tax and municipal claims mortgages liens charges and estates of whatsoever kind except ground rents separately taxed Out of the proceeds of such sale shall be paid the costs set forth in the upset price at the prior sale and the additional costs incurred relative to this sale including the fee for title search not to exceed fifteen dollars (\$15) The remainder of said proceeds shall be distributed by the county treasurer as hereinbefore provided After the purchaser shall have paid over the purchase price the bureau shall make and deliver a deed in the manner hereinbefore provided When aforesaid petition for sale is presented within three (3) months after the date of the former sale the court on its order shall direct that no further advertisement is required In cases where said petition is presented after the three (3) month period has expired the court shall in its order fixing a subsequent sale direct that the readvertisement of such sale need not be published three (3) consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one (1) insertion in one (1) or two (2) newspapers as hereinbefore provided for such advertisement at least thirty (30) days prior to the sale and include the purpose the time the place and the terms of such sale with a reference to the prior advertisement

In any such petition for sale the bureau may if it deems the same advantageous request the court to fix the place of sale at the property to be sold and if the court is convinced the taxing districts interested will be benefited

thereby it shall order the sale to be held on the property to be sold

Section 613 Properties Not Sold Because of Insufficient Bid May be Sold at Private Sale (a) Any time within one (1) year after any property has been exposed to public sale and such sale is continued because no bid was made equal to the upset price as hereinbefore provided the bureau may on its own motion and shall on the written instructions of any taxing district having any tax claims or tax judgments against said property agree to sell the property at private sale at any price approved by the bureau Notice of the proposed sale stating the price and the property proposed to be sold shall be given to each such taxing district and to the owner of the property The corporate authorities of any taxing district having any tax claims or tax judgments against the property which is to be sold or the owner may if not satisfied that the sale price approved by the bureau is sufficient within fifteen (15) days after notice of the proposed sale petition the court of common pleas of the county to disapprove the sale The court shall in such case after notice to each such taxing district the owner the bureau and the purchaser hear all interested parties After such hearing the court may either confirm or disapprove the sale as to it appears just and proper If the sale is disapproved the court shall at the same time fix a price below which such property shall not be sold

(b) When an offer to purchase any such property has been received and the price has been disapproved by the bureau the bureau shall on the written instructions of any interested taxing district submit by petition the proposed sale to the court of common pleas of the county for approval The court shall after affording the owner and each taxing district having any tax claims or tax judgments against the property an opportunity to be heard on such notice as the court deems appropriate approve or disapprove the sale If the court approves the sale it shall be consummated with like effect as though it had been approved by the bureau and by all taxing districts having said interest

Section 614 Options (a) The bureau shall have the right to accept option money to bind the private sale of any such property at the price offered therefor which shall be credited to the purchase price when the sale is effected or be retained for the use of the taxing districts if the purchase price is not paid over But if the purchase price is not approved or confirmed as hereinbefore provided and the sale is not consummated for that reason the option money shall be returned to the prospective purchaser (b) Before a petition is presented to court for a subsequent sale as herein provided the bureau shall have the right to accept option money from any person who agrees to bid a certain agreed price for the property at the sale and such money shall be credited to the purchase price if such person purchases the property at the sale at a price not less than the agreed price If said person does not bid the amount agreed upon or more or if the purchase price is not paid over then the option money shall be retained for the use of the taxing district But if the property is sold to any other bidder for a price in excess of the agreed offer the option money shall be returned to the person having deposited the same (c) Such option money shall be deposited in the county treasury

Section 615 Deeds When the price for the private sale of any said property has been finally approved or confirmed as hereinbefore provided the bureau shall upon payment over of the purchase price less the option money if any make to the purchaser his or their heirs or assigns a deed in fee simple for the property sold Each such deed shall be in the name of the bureau as trustee grantor and shall be duly acknowledged before the prothonotary by the director Such deed shall convey title to the purchaser free clear and discharged of all tax claims and tax judgments whether or not returned filed or entered as provided by this or any other act

Section 616 When Bureau Shall Petition Court for Public Sale to Divest All Liens The bureau may on its own motion during or after the aforesaid continuance of

the prior sale after receiving the consent of all taxing districts having any tax claims or tax judgments against said property and shall on the written directions of such taxing districts file its petition in the court of common pleas for an order to sell the property at public sale free and discharged from all tax and municipal claims mortgages liens charges and estates of whatsoever kind in the manner hereinbefore provided. If within the period of ten (10) months after the date of said prior sale the said petition has not been filed or the property sold at private sale the bureau shall within the next immediately following two (2) months file its petition as aforesaid and sell the property at the time and place prescribed in the order of court if such order is made.

Section 617 Errors as to Descriptive Names etc May be Amended on Petition. When a property has been sold at public sale as herein provided and there are errors in the description or in the spelling of any person's name or other obvious errors in the claim or in the return to court or in any petition relative to the proceedings or in the bureau's tax deed such error may be amended by a petition to court for a rule on all parties interested to show cause why the records should not be amended and such errors corrected. After hearing on the rule the court may make such order relative thereto as to it seems just and proper.

Article VII

Property Purchased by Taxing District Prior to This Act

Section 701 Property Heretofore Purchased by Taxing Districts to be Turned Over to Bureau. Where the county commissioners any taxing district or trustee for any taxing districts have prior to the effective date of this act acquired any property at a tax sale or a sale on a judgment for a tax claim unless such property or interest shall have been resold or used for a public purpose for which the property might otherwise have been acquired such commissioners taxing district or trustees shall prior to the first day of January one thousand nine hundred forty-nine or in cases where the redemption period has not expired at such time immediately on the expiration thereof deliver possession of such property to the bureau together with all the pertinent information as to when and how it was acquired the taxes for which it was offered for sale at the time the party which purchased it the mortgage liens or estates if any not discharged by such sale known to the taxing district to be a charge on the property and the taxes which would have been levied against such property had it not been purchased by the taxing district if known to the taxing district. Thereafter all rights and title to the property held by such taxing district or trustee shall vest in the county as trustee for all taxing districts having the power to levy taxes against such property if it were privately owned and the bureau shall become the agent of all taxing districts having an interest in the management and control of such property with the following powers and duties with respect thereto.

Section 702 Powers and Duties of Bureau as Agent. The property turned over to it as provided in the preceding section shall not be subject to redemption and until finally sold as hereinafter provided. The Bureau shall manage and control the property for the trustee county with power (a) to lease the property for a period not exceeding one (1) year with the usual privilege of renewal on termination thereof upon three (3) months' notice but not for the purpose of extracting any minerals or oil or the cutting of timber (b) to make such repairs to the property as may be reasonably necessary to restore and maintain it in a tenable condition and to carry insurance on such property (c) to advertise the property for sale or for rent (d) to appoint an agent or agents who shall be a licensed real estate broker or agent to collect the rentals and pay such agents the customary commissions for rent collection (e) to harvest and sell the crops or produce of the property (f) to sell any scrap or salvage resulting from repairs or alterations to buildings on the property or from the demolition of buildings no longer safe for occupancy (g) to recover the cost of advertising repairs alterations or demolition of buildings

the harvesting of crops and the commissions of rental agents from the rental or sale of the property or any crops or salvage therefrom and (h) to sell the property at private sale to give options thereon and receive option money and to make deeds for such property when sold the same manner as provided in Article VI.

The bureau shall not in any case incur any expense for the maintenance repair or alteration of any such property in excess of eighty per centum (80%) of the amount of rental to be received for such property within a period of one (1) year under a lease entered into at or before the time such expense is incurred.

Section 703 Such Properties to be Sold Under Provisions of Article VI. All properties so turned over to the bureau which have not been sold at private sale as hereinbefore provided shall be sold by the bureau at public sale held not later than the first day of June one thousand nine hundred fifty-one. Such sales shall be made upon petition to court for an order to sell clear and free of all claims liens mortgages and estates in the same manner with like proceedings and with like effect as if said properties had been first exposed to public sale as provided in Article VI but not sold because of insufficient bid. The sale of properties turned over to the bureau under the provisions of this article shall except as herein otherwise provided be subject to all the provisions of Article VI in so far as they may be applicable and when sold at public sale by order of court as above provided such properties shall be sold free and discharged from all tax and municipal claims mortgages liens charges and estates whatsoever.

Article VIII

Repeals and Effective Date

Section 801 Acts of Assembly Repealed Absolutely. The following acts and parts of acts are hereby repealed absolutely.

The act approved the third day of April one thousand eight hundred four (P. L. 517) entitled "An act directing the mode of selling unseated lands for taxes."

Section twenty-four of the act approved the twenty-eighth day of March one thousand eight hundred fourteen (P. L. 352) entitled "An act establishing a fee bill."

The act approved the thirteenth day of March one thousand eight hundred fifteen (P. L. 177) entitled "An act to amend the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'."

Sections one two and five of the act approved the twenty-ninth day of March one thousand eight hundred twenty-four (P. L. 167) entitled "A further supplement to the act entitled 'An act directing the mode of selling unseated lands for taxes and for other purposes'."

Sections five six and seven of the act approved the fourteenth day of April one thousand eight hundred forty (P. L. 349) entitled "A supplement to an act entitled an act to incorporate a Turnpike Road company passed fourteenth February eighteen hundred and thirty-eight and for other purposes."

Section forty-one of the act approved the twenty-ninth day of April one thousand eight hundred forty-four (P. L. 486) entitled "An act to reduce the state debt and to incorporate the Pennsylvania canal and railroad company."

Section two of the act approved the ninth day of March one thousand eight hundred forty-seven (P. L. 278) entitled "An act in relation to the sales of unseated lands in the several counties of this Commonwealth" and the amendments thereto.

Section thirty-two of the act approved the twenty-fifth day of April one thousand eight hundred fifty (P. L. 569) entitled "An act relating to the bail of executrixes to partition in the orphans' court and common pleas to colored convicts in Philadelphia to the limitation of actions against corporations to actions enforcing the payment of ground rent to trustees of married women to appeals from awards of arbitrators by corporations to hawkers and peddlers in the counties of Butler and Union to the payment of costs in actions by informers in certain cases to taxing lands situate in different townships and in rela-

tion to fees of county treasurers of Lycoming Clinton and Schuylkill to provide for recording the accounts of executors administrators guardians and auditors' reports and to amend and alter existing laws relative to the administration of justice in this Commonwealth"

The act approved the fifteenth day of May one thousand eight hundred seventy-four (P. L. 192) entitled "An act to make the redemption money paid by a lien creditor a prior lien on the title of the debtor in the land that is redeemed"

The act approved the thirteenth day of May one thousand eight hundred seventy-nine (P. L. 55) entitled "An act regulating the right of redemption of seated lands returned to the county commissioners and sold for non-payment of taxes"

The act approved the eleventh day of June one thousand eight hundred seventy-nine (P. L. 151) entitled "A supplement to an act entitled 'An act to amend an act directing the mode of selling unseated lands for taxes and for other purposes' approved the thirteenth day of March one thousand eight hundred and fifteen providing for special sales of such lands where the same have not been sold by the treasurer at the last regular sales"

The act approved the eighth day of July one thousand eight hundred eighty-five (P. L. 268) entitled "An act relative to the purchase of lands by county commissioners at sales thereof for arrearages of taxes"

The act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" and the amendments thereto

Sections two thousand five hundred seventy-five two thousand five hundred seventy-six two thousand five hundred seventy-seven two thousand five hundred seventy-eight and two thousand five hundred seventy-nine two thousand five hundred eighty two thousand five hundred eighty-one two thousand five hundred eighty-two two thousand five hundred eighty-three two thousand five hundred eighty-four two thousand five hundred eighty-five and two thousand five hundred eighty-six of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto"

Section 802 General Repeal All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 803 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments, and ask that they be read before being voted upon. For the information of the Senate, they except second class townships.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Page 1, second line of the Title, add following the word county "except counties of the second class"; Page 2,

seventh line of the Title, following the word first, add "and second"; Page 3, line 7 of the Table of Contents, strike out "704" and add "703"; Page 3, line 8 of the Table of Contents, strike out "804" and add "803"; Page 3, line 9, following the word counties add the following "of the third fourth fifth sixth seventh and eighth classes"; Page 4, line 5 following the word counties strike out the words "and of cities of the first class"; Page 4, line 14 following the word first add "and second"; Page 4, line 15 following the word class add "or second class A"; Page 5, line 4 following the word first, add "and second"; Page 6, line 8 following the word the strike out the word "second"; Page 6, line 11 following the word the strike out the word "second"; Page 7, line 8, following the word the strike out the word "second"; Page 15, line 15 following the word of strike out "(1)"; Page 16, line 1, following the word collection strike out the words "(2) the County Treasurer of each County of the Second"; Page 16 strike out all of lines 2 and 3; Page 16, line 4, strike out the words "its taxes"; Page 32, line 16, following the word commissioners strike out the words "or in cases of cities of the"; Page 32, line 17, strike out the words "first class the city council"; Page 59, line 10, following the word absolutely add "as to application in certain counties"; Page 59, line 11, following the word acts add "insofar as they apply in counties of the third fourth fifth sixth seventh and eighth classes."

On the question,

Will the Senate agree to the amendments?

Mr. STEVENSON. Mr. President, I ask my colleagues to disapprove these amendments.

And the question recurring,

Will the Senate agree to the amendments?

(a voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rosenfeld,	Wagner,
Chapman,	Heyburn,	Ruth,	Walker,
Crider,	Holland,	Scarlett,	Watson,
Crowe,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Letzler,	Tallman,	Wood, T. N.,
Farrell,			

NAYS—10

Barr,	Jaspan,	Rahausen,	Tarr,
Dent,	Leader,	Stiefel,	Wilson,
Homsher,	Margie,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 579, as follows:

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" is hereby amended to read as follows

Section 1 Be it enacted &c That where cash shall be needed for the immediate requirements of the city in any year in advance of the receipt of income the mayor and the city controller of cities of the second class shall have power to negotiate on behalf of the city temporary loans upon notes for periods not to extend beyond such year and in aggregate amount not to exceed ten per centum of the estimated receipts for such current year other than loan funds but at the time of issuing said loans provision must be made to repay the same out of the income of the same year in which they are negotiated the intention of this act being that the negotiation of said loans shall be solely for the purpose of anticipating receipt of income Provided however That if through emergency it shall become necessary [for the council to obtain additional appropriating power] it shall be lawful for the council to authorize the creation of one or more emergency loans not exceeding in the aggregate seven hundred and fifty thousand dollars (\$750,000) at any one time which unless paid within the year in which they were created shall be included by the city controller in his estimate of liabilities which must be [met] paid out of the cash receipts of the ensuing fiscal year [before ordinary appropriations may be made therefrom] within the first thirty days after the beginning of such fiscal year

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Lare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order, .

The Senate proceeded to the third reading and consideration of Senate Bill No. 580, as follows:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" as last amended by the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 606) is hereby further amended to read as follows

Section 21 (a) That every domestic corporation other than corporations of the first class nonprofit corporation and cooperative agricultural associations not having capital stock and not conducted for profit and every joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a tax at the rate of five mills upon each dollar of actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section Provided That nothing herein contained shall apply to the taxation of capital stock of corporations limited partnerships and joint-stock associations (A) organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State excepting companies engaged in the distilling of liquors and such as enjoy and exercise the right of eminent domain and (B) organized for coal mining purposes and which is invested in and actually and exclusively employed in carrying on coal mining or coal mining and the preparation of coal for market but every corporation limited partnership or joint-stock association organized for the purpose of manufacturing or coal mining or coal mining and the preparation of coal shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to the manufacturing or coal mining or coal mining and coal preparation business in addition to the local taxes assessed upon its property in the district where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business or in the coal mining or in the coal mining and preparation plant and business

(b) Every foreign corporation joint-stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the treasury of the Commonwealth annually through the Department of Revenue a franchise tax at the rate of five mills upon a taxable value to be determined in the following manner The actual value of its whole capital stock of all kinds including common special and preferred shall be ascertained in the

manner prescribed in the twentieth section of this act and shall then be divided into three equal parts

(1) Of one third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the value of the taxpayer's tangible property not actually and exclusively used in manufacturing or in coal mining or coal mining and preparation situated within the Commonwealth and whose denominator is the value of all the taxpayer's tangible property wherever situated

(2) Of another third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the expenditures of the taxpayer for wages salaries commissions or other compensation to its employees not exclusively engaged in manufacturing or in coal mining or coal mining and preparation in this Commonwealth and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the taxpayer for wages salaries commissions or other compensation to all its employees

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business not strictly incident or appurtenant to manufacturing or to coal mining or coal mining or preparation in this Commonwealth assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

The sum of the amounts determined in accordance with the foregoing three rules shall be the taxable value. In a case where only two of the foregoing three rules are applicable the remaining third equal part of the value of the entire capital stock shall be divided into two equal parts each of which shall be apportioned in accordance with one of the remaining two rules. If only one of the three rules is applicable that part of the entire capital stock attributed to business carried on within the Commonwealth shall be determined solely by the rule.

The amount assignable to this Commonwealth of expenditures of the taxpayer for wages salaries commissions or other compensation to its employees shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employees not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth.

The amount of the taxpayers gross receipts from business assignable to this Commonwealth shall be (1) the amount of its gross receipts for the taxable year except those negotiated or effected in behalf of the taxpayer by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside the Commonwealth and except rents and royalties and interest and dividends (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth. If a taxpayer maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the Department of Revenue shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the taxpayer to the business conducted at such place of business in another state.

In the case of construction contracts negotiated or effected at an office in the State of Pennsylvania but performed outside the State the gross receipts under such contracts shall be assignable outside the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of

the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in Pennsylvania under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year. In the case of construction contracts negotiated or effected at an office outside the State but performed in the State the gross receipts under such contract shall be assignable to the State except that if the activities under any such contract to which the gross receipts are attributable shall occur partly within the State and partly outside the State such proportion of the gross receipts under said contract shall be assignable to Pennsylvania as the direct and indirect costs incurred in the State under the contract for the taxable year bear to the total costs incurred thereunder for the taxable year.

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a taxpayer for wages salaries commissions or other compensation or the gross receipts of the taxpayer are found to be situated incurred or received without the Commonwealth.

(c) It shall be the duty of the treasurer or other officers having charge of any such corporation joint-stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within the time prescribed by law. Provided That for the purposes of this act interest in limited partnerships or joint-stock associations shall be deemed to be capital stock and taxable accordingly. Provided further That corporations limited partnerships and jointstock associations liable to a tax under this section shall not be required to pay any further tax on the mortgages bonds and other securities owned by them and in which the whole body of stockholders or members as such have the entire equitable interest in remainder but corporations limited partnerships and joint-stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than for the whole body of stockholders or members thereof as sole equitable owners in remainder shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals. Provided further That the tax of five mills imposed by this section on reports filed for the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each calendar year thereafter or for the fiscal years beginning in the calendar years one thousand nine hundred and thirty-five and one thousand nine hundred and thirty-six and for each fiscal year thereafter shall apply to the taxation of the capital stock of corporations limited partnerships and joint-stock associations organized for laundering and for the processing and curing of meats their products and by products excepting companies engaged in the distilling of liquors. Provided further That in case of fire and marine insurance companies the tax imposed by this section shall be at the rate of five mills upon each dollar of the actual value of the whole capital stock. Provided That nothing in this act shall be so construed as to apply to building and loan associations chartered by the State of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,

Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,
Farrell,

Jaspan,
Kephart,
Klein,
Leader,
Letzler,

Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 603, on third reading, entitled:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 615, on third reading, entitled:

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse, in community property.

go over in its order

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 642, as follows:

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by providing that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" are hereby amended to read as follows

Section 2 The department of lands and buildings shall be under the charge of a director who shall be the head thereof The care maintenance repair and alteration management and supervision of all city buildings [the supervision of contract work in connection with the construction of all city buildings] the supervision of janitors watchmen and elevator service and the operating maintenance of all city buildings and the lease purchase and sale of real estate of the city shall be under the jurisdiction of this department The supervision of contract work in connection with the construction of all city buildings may be under the jurisdiction of this department or may be under the jurisdiction of the department of public works as the council of said city shall direct in the ordinance authorizing and directing the letting of the contract work in connection with building construction

Section 3 All the powers and duties as set forth in section two hereof which are now under the jurisdiction of any other department of said city are hereby transferred to the department of lands and buildings created by this act Provided however That the jurisdiction to supervise contract work in connection with the construction of all city buildings may be under the department of lands and buildings or may be under the department of public works as the council of said city shall direct in the ordinance authorizing and directing the letting of the contract work in connection with building construction

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 667, as follows:

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and

amending revising and consolidating the law relating thereto" changing the provisions thereof authorizing the levy and collection of taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 2551 Tax Levies The council of each city may by ordinance levy and provide for the collection of the following taxes

1 A tax for general revenue purposes not to exceed fifteen mills on the dollar in any one year on all persons and property taxable according to the laws of the Commonwealth for county purposes the valuation of such property to be assessed as hereinbefore provided

2 A tax in addition to the above [not exceeding ten mills on the dollar upon the assessed valuation in any one year] on all persons and property taxable for county purposes for the payment of interest on bonded indebtedness and for sinking fund requirements [and] for the payment of loans [to support the government and to make necessary improvements in the city]

3 A poll-tax for general revenue purposes not exceeding [one dollar] five dollars annually on all inhabitants above the age of twenty-one years Any ordinance of council fixing the rate of taxation for any year at a mill rate shall also include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Becker,	Farrell,	Letzler,	Tyler,
Berger,	Frazier,	Lord,	Wade,
Blass,	Geltz,	Mahany,	Wagner,
Carr,	Hare,	Mallery,	Walker,
Chapman,	Heyburn,	Margie,	Watson,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, L. H.,
Doehla,	Klein,	Tallman,	Wood, T. N.,
Donlan,	Leader,	Taylor,	

NAYS—9

Barr,	Holland,	Rosenfeld,	Stiefel,
Dent,	Rahauser,	Ruth,	Tarr,
Haluska,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 673, on third reading, entitled:

An Act to further amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties

of the fourth class imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 676, as follows:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for qualifications and licensing of excess insurance brokers in all kinds of insurance other than life

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1186) is hereby further amended to read as follows

Section 624 Excess Insurance Brokers The Insurance Commissioner may issue a license revocable at any time permitting the person copartnership or corporation named therein who meets the qualifications imposed under section six hundred twenty-two of this act to act as a broker to procure for his clients policies of [fire or marine] insurance other than life insurance from companies associations or exchanges not authorized to do business in this Commonwealth Before any [fire or marine] insurance excepting however marine insurance on vessels and vessel property engaged in interstate or foreign commerce shall be procured under or by virtue of said license there shall be executed and filed with the Insurance Commissioner by [the] such licensed broker [and also by the party desiring the insurance] [and] an affidavit which shall have force and effect for one year only from the date thereof setting forth that [the party desiring insurance] is after diligent effort unable to procure the [amount] required [to protect the property owned or controlled or entrusted to him] insurance from [fire or marine] insurance companies mutual insurance companies associations or exchange except duly authorized to transact business in this Commonwealth [The] such licensed broker procuring or delivering policies in such unauthorized companies associations or exchanges shall keep a separate account thereof open at all times without notice to the

inspector of the Insurance Commissioner showing the exact amount of insurance placed giving the name of the insured the [location of the insured property] subject of the insurance the gross premium mentioned in the policy the name of the company association or exchange issuing the contract and the number date and term of the policy Each policy shall have written or printed on the outside of it the name of the licensed broker who obtained [the] such same and introduced it into the Commonwealth and after his name shall appear the words "licensed excess insurance broker" Nothing in this section shall be so construed as giving any such licensed broker authority to act as agent for or to in any way represent any such unlicensed company association or exchange in this Commonwealth

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Becker,	Farrell,	Mahany,	Tyler,
Berger,	Frazier,	Mallery,	Wade,
Blass,	Geltz,	Margie,	Wagner,
Carr,	Hare,	Rosenfeld,	Walker,
Chapman,	Heyburn,	Scarlett,	Watson,
Crider,	Homsher,	Snowden,	Wilson,
Crowe,	Kephart,	Stevenson,	Wolfe,
DiSilvestro,	Klein,	Stiefel,	Wood, L. H.,
Doehla,	Letzler,	Tallman,	Wood, T. N.,
Donlan,	Lord,	Taylor,	

NAYS—7

Haluska,	Jaspan,	Rahauser,	Tarr,
Holland,	Leader,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 689, on third reading, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 690, on third reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 691, on third reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 713, on third reading, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 725, as follows:

An Act to reenact amend and revise section forty-one clause (a) paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents" by further modifying the terms qualifications and other conditions

under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (1) and (2) of paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers procedure of the orphans court in all matters relating to fiduciaries concerned with the estates of decedents" as last amended by the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 545) are hereby reenacted to read as follows

Subsection (1) United States Obligations Bonds or obligations either bearing interest or sold on a discount basis of the United States or the United States Treasury or those for the payment of the principal and interest on which the faith and credit of the United States is pledged including such bonds or obligations of the District of Columbia

Subsection (2) Pennsylvania Obligations Bonds or other interest bearing obligations of the Commonwealth of Pennsylvania or those for the payment of the principal and interest on which the faith and credit of the Commonwealth is pledged

Section 2 Subsection 3 of said paragraph clause and section of said act as last amended by the act approved the second day of June one thousand nine hundred and thirty-five (P. L. 545) is hereby reenacted and amended to read as follows

Subsection (3) State and Local Government Obligations Bonds or other interest bearing obligations of any State or Commonwealth of the United States or of any county city borough township school district [or poor district] institutional district or other political subdivision of [the] any such State or Commonwealth [of Pennsylvania or those] Provided that the faith and credit of such State Commonwealth or political subdivision thereof is pledged for the payment of the principal and interest [on which the faith and credit of such political subdivision is pledged] on said obligations and Provided further that at the date of the investment in such [bonds or other interest bearing] obligations such State Commonwealth or political subdivision is not in default in the payment of any part of the principal or interest owing by it upon any part of its funded indebtedness

Section 3 Subsection (4) of said paragraph clause and section of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1037) is hereby renumbered and reenacted to read as follows

Subsection [(4)] (3) Mortgages Mortgages of one or more individuals or corporations securing bonds or other obligations subject to the following provisions

(a) At the date of the recording of any such mortgage in the office of the recorder of deeds of the proper county or at the date of any extension or renewal thereof such mortgage shall meet the following requirements

(1) Such mortgage shall contain an unconditional promise to pay interest on the bonds or other obligations secured thereby and shall be or become a first lien upon improved real estate including improved farm lands situated within this Commonwealth prior to all other liens except taxes previously levied or assessed but not then payable and except taxes then due and payable or delinquent for the payment of which taxes provision has been made in the mortgage settlement

(2) The unpaid principal amount of the bonds or other obligations secured by such mortgage shall not exceed two-thirds of the fair value of such real estate

(3) Such mortgage shall be payable not more than five years after the date thereof or the date of any renewal or extension thereof or the date of the investment therein by the fiduciary or it shall be amortized in installments totalling in each year not less than three per centum of the face amount of the bonds or other obligations secured thereby over a period not exceeding twenty years from the date thereof or the date of any renewal or extension thereof

(b) At the date of the investment therein by any fiduciary any such mortgage shall also meet the following requirements

(1) All interest previously due thereon if any shall have been paid in full to the next preceding interest payment date as therein provided

(2) No taxes levied or assessed upon the property covered thereby upon which any penalty has accrued shall then remain unpaid unless provision for the payment thereof is made at the mortgage settlement

(3) The unpaid principal amount of the bonds or other obligations secured by such mortgage shall not exceed two-thirds of the fair value of the mortgaged property

Section 4 Subsection (5) of said paragraph clause and section of said act as last amended by the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 545) is hereby renumbered and reenacted to read as follows

Subsection [(5)] (4) Ground Rents Ground rents secured upon unencumbered improved real estate situated within this Commonwealth Provided That the annual rent reserved in any such ground rent capitalized at the rate of five per centum shall not exceed two-thirds of the fair value of the real estate out of which it issues

Section 5 subsection (6) of said paragraph clause and section of said act as last amended by the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 545) is hereby repealed absolutely

Section 6 Subsection (7) of said paragraph clause and section of said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 718) is hereby renumbered and reenacted to read as follows

Subsection [(7)] (5) Fractional Interests Fractional undivided interests in any investment in which a fiduciary is authorized by this section to invest trust funds or in a common trust fund of such investments including a mortgage investment fund containing such investments and other assets established and being maintained by any trust company or by any bank and trust company or national banking association in its trust department in accordance with the laws of this Commonwealth such fractional interests being apportioned among estates of

which the person or corporation creating such fractional undivided interests is the fiduciary. An individual fiduciary may join in the investment of the funds of the estate of which he is a fiduciary in such investments when such individual fiduciary is acting as a co-fiduciary with the person trust company bank and trust company or national banking association creating such fractional undivided interests or with the trust company bank and trust company or national banking association establishing and maintaining any such common trust fund or mortgage investment fund.

In the case of an investment in a fractional interest in a bond or other obligation secured by a mortgage if the date of such investment is subsequent to the original date of such mortgage or to the date of any renewal or extension of such mortgage such investment being made by purchase assignment or otherwise no new appraisalment shall be necessary to fix the fair value at the date of such investment of the real estate subject to such mortgage. Provided That such an appraisalment as is provided herein has been made within three years from the date of such investment and a reputable person familiar with real estate values in the vicinity of such property and also familiar with such previous appraisalment shall certify in writing that at the date of such investment the face amount of the bond or other obligation secured by such mortgage does not exceed two-thirds of the fair value of such property. Any such certificate shall be filed and preserved among the records of the fiduciary. In the case of an investment in a mortgage investment fund established and being maintained by any trust company or by any bank and trust company or national banking association in its trust department no new appraisalment of the assets contained in such fund shall be required at the date of such investment provided such assets are appraised at least once every three years.

Section 7 Subsections (8) (9) and (10) of said paragraph clause and section of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1037) are hereby repealed absolutely.

Section 8 The said paragraph clause and section of said act is hereby amended by adding after subsection (5) as hereinabove renumbered and reenacted the following new subsection known as subsection (6)

Subsection 6 Corporate Bonds Such fixed interest bearing obligations including bonds note debentures or car trust certificates of any corporation including gas water electric railroad and telephone corporations and other public utility corporations as well as industrial corporations and of any other corporation organized under the laws of the United States or of any State or Commonwealth thereof or of the District Columbia which such fiduciary may purchase in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital. Provided however that the corporation issuing such obligations shall have earned a net profit after all expenses and taxes in eight of the preceding ten years and Provided further that said corporations issuing said obligations shall not have suffered or committed a default in the payment of the principal or interest on any of its outstanding funded indebtedness during such preceding ten years.

In determining the qualifications of any investment under this subsection where a corporation shall have acquired its property or any substantial part thereof within the ten years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the net earnings and fixed charges of the predecessor or constituent corporations shall be consolidated and adjusted so as to as-

certain whether the requirements of this subsection have been complied with.

Section 9 Subsections (11) (12) and (13) of said paragraph clause and section of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1037) are hereby renumbered and reenacted to read as follows

Subsection [(11)] (7) Mortgages Insured by Federal Housing Administrator Mortgage bonds or other obligations of one or more individuals or corporations insured by the Federal Housing Administrator prior to the first day of July one thousand nine hundred and thirty-nine pursuant to the provisions of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements or thereafter insured by such administrator with like force and effect pursuant to any amendment revision or extension of the provisions of the said act. At the date of the investment in any such mortgage the said insurance thereon shall be in good standing in full force and effect.

Subsection [(12)] 8 Debentures Issued by the Federal Housing Administrator and Guaranteed by the United States Debentures issued by the Federal Housing Administrator and fully guaranteed as to principal and interest by the United States pursuant to the provisions of the National Housing Act approved the twenty-seventh day of June one thousand nine hundred and thirty-four its amendments and supplements and either purchased by the fiduciary as an investment or accepted by the fiduciary in payment of any mortgage insured by the Federal Housing Administrator in which the fiduciary may theretofore have invested monies in its hands to be invested.

Subsection [(13)] (9) Federal Land Bank Bonds of any Federal land bank or consolidated bonds of all of the Federal land banks being the joint and several obligations of the said Federal land banks issued pursuant to the provisions of the act of Congress of the United States approved the seventeenth day of July one thousand nine hundred and sixteen its supplements and amendments.

Section 10 Subsection (14) of said paragraph clause and section of said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 716) is hereby renumbered and reenacted to read as follows

Subsection [(14)] (10) Interest-bearing Deposits Interest-bearing deposits including certificates of deposit saving accounts and other forms of deposits upon which interest is paid in any bank bank and trust company savings bank or national banking association located within this Commonwealth. The maturity date or the permissible date of withdrawal of any such deposit shall not exceed one year from the date of the deposit or any renewal thereof. A fiduciary shall not invest more than one thousand dollars of the funds of any trust estate in such deposits nor shall such investments be made in deposits in the institution which is fiduciary of such estate.

Section 11 Subsections (15) (16) and (17) of said paragraph clause and section of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1037) are hereby renumbered and reenacted to read as follows

Subsection [(15)] (11) Consolidated Federal Intermediate Credit Bank Debentures Consolidated debentures of all of the Federal Intermediate Credit Banks being the joint and several obligations of said Federal Intermediate Credit Banks issued pursuant to the provisions of the act of Congress of the United States approved the fourth day of March one thousand nine hundred and twenty-three its amendments and supplements.

Subsection [(16)] (12) Federal Home Loan Bank Obligations Debentures bonds or other obligations of any of the Federal Home Loan Banks or consolidated debentures of all of the Federal Home Loan Banks being the joint and several obligations of said Federal Home Loan Banks issued pursuant to the provisions of the act of Congress of the United States ap-

proved the twenty-second day of July one thousand nine hundred and thirty-two its supplements and amendments

Subsection [(17)] (13) Shares Insured by Federal Savings and Loan Insurance Corporation Shares of any building and loan association incorporated under the laws of this Commonwealth or of any Federal Savings and Loan Association incorporated under the laws of the United States the withdrawal or repurchase value of which are insured by the Federal Savings and Loan Insurance Corporation pursuant to the provisions of the act of Congress of the United States approved the twenty-seventh day of June one thousand nine hundred and thirty-four its supplements and amendments

Section 12 Subsection (18) of said paragraph clause and section of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1037) is hereby renumbered and further amended to read as follows

Subsection [(18)] (14) Obligations of [the General State Authority and] State Housing Authorities Bonds [of General State Authority issued pursuant to the provisions of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. four hundred fifty-two) its amendments and supplements and bonds] of any housing authority issued pursuant to the provisions of the laws of this Commonwealth relating to the creation or operation of [such] housing authorities

Section 13 The said paragraph clause and section of said act is hereby amended by adding after subsection (14) as hereinbefore renumbered and amended the following new subsection known as subsection (15)

Subsection (15) Preferred Stock Such preferred stock of any corporation including gas water electric railroad and telephone corporations and other public utility corporations as well as industrial corporations and of any other corporation organized under the laws of the United States or of any State or Commonwealth hereof or of the District of Columbia which such fiduciary may purchase in the exercise of that degree of judgment and care under the circumstances then prevailing which men of prudence discretion and intelligence exercise in the management of their own affairs not in regard to the speculation but in regard to the permanent disposition of their funds considering the probable income to be derived therefrom as well as the probable safety of their capital Provided however that such preferred stock whether a new or an old issue shall comply with the following requirements (a) It shall be listed (or if unlisted it shall be eligible for listing and application for listing shall have been made) on the New York Stock Exchange or other principal exchange approved by the Secretary of Banking (b) the corporation issuing such preferred stock shall have earned a net profit after all interest expenses and taxes but before preferred dividends in eight of the preceding ten years and shall not have suffered or committed a default in the payment of preferred dividends during such preceding ten years (c) any new preferred stock issued by a corporation subject to the supervision of a regulatory body either State Federal or both shall have received the approval of such body or bodies

In determining the qualifications of any investment under this subsection where a corporation shall have acquired its property or any substantial part thereof within the ten years immediately preceding the date of such investment by consolidation or by merger or by the purchase of all or a substantial portion of the property of any other corporation or corporations the net earnings and fixed charges of the predecessor or constituent corporations shall be consolidated and adjusted so as to ascertain whether the requirements of this subsection have been complied with

Section 14 Subsection (19) of said paragraph clause and section of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1037) is hereby renumbered and amended to read as follows

Subsection [(19)] (16) General Provisions

(a) Nothing contained in this section shall be construed to relieve any fiduciary from the duty of exercising due care and prudence in the performance of the duties of his office

(b) Nothing contained in this section shall be construed to authorize any fiduciary to make any investment contrary to the directions in regard to investments contained in the will deed or other instrument creating the trust in his care nor to limit or restrict the authority conferred upon any such fiduciary with respect to investments by any such instrument but the terms "legal investment" or "authorized investment" or words of similar import as used in such instrument shall be taken to mean any investment permitted under the terms of this section

(c) No fiduciary shall be liable for any loss incurred with respect to any investment not legal for the investment of trust funds as provided in this section when such nonlegal investment was received by such fiduciary pursuant to the terms of the will deed decree of court or other instrument or if such nonlegal investment was legal when received or when the investment was made by the fiduciary provided such fiduciary exercises due care and prudence in the disposition or retention of any such nonlegal investment

(d) Within the meaning of this section the term "fair value" of real estate shall be the value placed thereon in a written appraisalment by two reputable persons familiar with real estate value in the vicinity of such real estate who shall actually have inspected the property before making the appraisalment and shall so certify therein Any such appraisalment shall be filed and preserved among the records of the fiduciary

(e) The provisions of this section shall govern the investments of fiduciaries acting under wills agreements court orders and other instruments now existing as well as those which are made or come into legal effect hereafter

Section 15 All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 16 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

REQUEST THAT BILL GO OVER IN ORDER

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 725, on third reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. WALKER. Mr. President, may the Senate be at ease.

(The Senate was at ease.)

REQUEST THAT BILL GO OVER IN ORDER
WITHDRAWN

Mr. JASPAN. Mr. President, I withdraw my request that Senate Bill No. 725 go over in its order.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz

YEAS—49

Barr,

Frazier,

Lord,

Tarr,

Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Leader,	Stiefel,	Wood, T. N.,
Donlan,	Letzler,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 759, on third reading, entitled:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 810, on third reading, entitled:

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 887, on third reading, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies, associations or exchanges, including fidelity, surety and guaranty bonds and all other

forms of motor vehicle insurance and title insurance; to rating and advisory organizations; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations; companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 888, on third reading, entitled:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 890, on third reading, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, Lloyds associations, reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 895, on third reading, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-in-

insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 897, on third reading, entitled:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges,

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 908, on third reading, entitled:

An Act to add four new sections to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" regulating ownership by domestic insurance companies of the capital stock of other insurance companies conferring powers upon the Insurance Commissioner prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President I ask unanimous consent that House Bill No. 910, on third reading, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1057, on third reading, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1110, on third reading, entitled:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1173, on third reading, entitled:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forest and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1174, on third reading, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 615 CALLED UP

Mr. LORD. Mr. President, I call up Senate Bill No. 615, on page 6 of the Calendar, for consideration at this time.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 615, entitled:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the community property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill on third reading?

Mr. LORD. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 4, page 3, line 10, by striking out the words "both real and personal;" Amend sec. 4, page 3, line 15, by striking out the words "both real and personal;" Amend sec. 5, page 3, line 18, by striking out the words "The homestead" and inserting in lieu thereof "All real estate"

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILL OVER IN ORDER

Mr. LORD. Mr. President, I ask unanimous consent that Senate Bill No. 615, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 102, entitled:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle, and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment or to use membership qualifications as a means of limiting the number of employes available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employees creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 345, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Sec. 1, (Sec. 13), page 12, line 14, by inserting brackets before and after the word "and" and by inserting immediately thereafter "or;" Amend Sec. 1, (Sec. 14), page 16, lines 3 and 4, by striking out the words "the governing body of the city or by;" Amend Sec. 1, (Sec. 14), page 16, lines 6, 7, 8 and 9, by striking out the words "the governing body of the" in line 6, all of lines 7 and 8, and the part-word "vided" in line 9; Amend Sec. 1, (Sec. 14), page 16, line 9, by striking out the word "however."

On the question,

Will the Senate agree to the amendments?

Mr. BARR. Mr. President and members of the Senate, I would appreciate it if the members of the Senate would listen to what I have to say with respect to these amendments.

I would like briefly to give a history of this bill. This bill was introduced in the House without first being taken up with the representatives of the city of Pittsburgh. The city of Pittsburgh, of course, has to pay money into this pension fund. After this House bill came over to the Senate, members of the police force of the city of Pittsburgh had some three or four meetings with the mayor and members of city council of the city of Pittsburgh and the bill as it is on our desks today is the way they agreed that the bill should be passed.

Last week we passed a bill here for the un-uniformed employees of the city of Pittsburgh, in which we made their retirement age at sixty years.

Gentlemen, if you pass this amendment you are going to allow policemen in the city of Pittsburgh to retire at the age of forty-six. You men that have any kind of business know that forty-six is no age for retirement.

Mr. President, these men will work for the city of Pittsburgh for twenty-five years, the city of Pittsburgh will be spending money training these men to be good police officers, and when they reach what I would say are their best years as police officers, then they would be eligible to retire.

If you will look on page 2 of this bill you will find that they will be retired at a much higher rate than ever before.

This bill, with this amendment, where the Senator offers the amendment where it says age fifty-five or twenty-five years of service, will cost the city of Pittsburgh some \$250,000 a year. I ask the members of the Senate if they think that is being fair. First of all, the city of Pittsburgh is here this year asking and pleading with the members of the House and the Senate to allow the city of Pittsburgh to broaden its taxing powers, due to the fact that at present we are operating under deficit financing in the city of Pittsburgh; we have not been able to retire bonds for the last three years and it is costing the people extra money, and it is not good business the way we are having to do it, because the income of the city is not sufficient.

Secondly, Mr. President, the second amendment has to do with a new amendment which was added to the bill when it came over from the House and with your permission I will take a moment to read it.

"Provided that the increases in pension payment herein provided shall be deemed cost of living increases and shall not be construed as a permanent and binding obligation of the pension fund which will in perpetuity entitle present and future pensioners to secure pensions predicated upon such increases. Such increased pension schedule shall be subject to revision by the governing body of the city or by the General Assembly." They want to take out "the governing body of the city."

Then later on it says that the city shall at no time without coming to the General Assembly be allowed to raise these pensions. They want to take that part out. In other words, they do not want the city to be able to lower pensions but they want to give the city the right to "up" pensions, which heretofore has always been done by the General Assembly.

Mr. President, if these amendments are adopted I am positive the Governor of this Commonwealth will veto this bill, because the Governor well knows the financial condition of the city of Pittsburgh.

I do not think any member of this Senate wants a man to be retired at the age of forty-six years and by so doing subject the people of Pittsburgh to the payment of over quarter of a million dollars more money each year.

Mr. President, I ask for a roll-call on these amendments and I ask the members of both sides to vote them down.

Mr. WALKER. Mr. President, I am very deeply appreciative of the concern of the gentleman from Allegheny, Senator Barr, and I would like to make this suggestion, through the Chair to Senator Barr, that it is our intention to have the amendments printed in the bill and then have the bill go over in its order and I would be very happy to discuss with my colleague from Allegheny tomorrow what the amendments do, with the clear understanding that the bill will be printed with the amendments in it, so that we can discuss what the amendments do to the bill after we see the bill in print. In that way the status of the bill can be maintained on the calendar and what effect the amendments have on the bill can then be discussed.

Mr. BARR. Mr. President, I would like to go along with the gentleman from Allegheny, but I can not do it, as I would not ever be a party to voting in favor of an amendment which allows a man to retire in the prime of life, forty-six years of age. To me that is just nonsense.

Mr. WALKER. Mr. President, last year they tried desperately to retire me at the age of forty-six.

Mr. DENT. Mr. President, I desire to interrogate the sponsor of the amendments.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. WALKER. I will, Mr. President.

Mr. DENT. Mr. President, did the gentleman from Allegheny see this bill in its original form when it was presented to the House?

Mr. WALKER. Mr. President, the answer to that question is "no."

Mr. DENT. Mr. President, the original bill contained much the same language as will appear in the bill after these amendments have been approved by this Senate. If the desire of the gentleman from Allegheny, Senator Walker, is to acquaint the Senate with the purposes of the amendment and the effect of the amendment upon the bill, I would suggest that he get hold of the original bill and pass copies around to members of the Senate.

Mr. President, I do not want this bill to die either here or on the desk of the Governor. As I understand it, this bill was worked out in complete harmony with the interested parties, and the committee worked diligently to present to the Senate a bill that would meet both the approval of the city of Pittsburgh and the Governor's office. Those of us who are interested in this matter do not want this bill to die. I am sure, Mr. President, if these amendments are inserted in the bill and if the figure of the cost, as quoted by Senator Barr, is assessed against the city of Pittsburgh, and if they must further pay the burden to be assessed against them because of increases in salaries of school teachers being passed back to the communities, I say to you, Mr. President, the city of Pittsburgh will find itself in a very dangerous position financially.

I say further, Mr. President, politics should not enter into or be played with this very serious legislation. If the gentleman from Allegheny, Senator Walker, gets these amendments inserted in the bill it will require another set of amendments to take these amendments out after the Senate finds out exactly what has happened, and I suggest that he and the gentleman from Allegheny, Mr. Barr, ought to get together before you subject the Senate to that particular pressure.

Mr. WALKER. Mr. President, I would like to suggest very respectfully and sincerely to the gentleman from Allegheny, Mr. Barr, and to the gentleman from Westmoreland, Mr. Dent, that under no circumstances will I ask the members of the Senate on this side of the aisle to participate in passing finally an amended bill that would do the things Senator Barr has suggested. It is difficult to discuss what the amendments do to the bill unless the printed bill is before us.

The only objective I had in mind, Mr. President, was to present the amendments, have them printed in the bill and then hold the bill in its present position on the calendar.

I want to say very frankly to the gentleman from Westmoreland that he is entirely in accord with our position on the bill, because we do not want to see it killed either here or on the Governor's desk. If the bill, with these amendments in it, does what has been suggested by the gentleman from Allegheny, I would gladly make the motion, or second a motion of the gentleman from Allegheny, Senator Barr, to have adopted amendments that would put the bill back in its present printed position, but in all fairness, I think the bill should be printed with the amendments in it. I say that the gentleman's position will not be endangered by having these amendments printed and I say to the gentleman from Allegheny, Senator Barr, that there will be no attempt on the part of members on this side of the aisle to attempt to rush the bill through, as amended, and not give ample opportunity to discuss it, because in all fairness, Mr. President, the gentlemen on this side of the aisle are no more anxious to retire people at forty-six years of age than he is, and that is the question that arises, and I think the purpose can be accomplished, if he will permit the amendment to be printed in the bill, with the understanding that it does not weaken his position or obligate him in any way, directly or indirectly, by having the amendments printed in the bill.

Mr. DENT. Mr. President, I appreciate the attitude of the gentleman from Allegheny, Senator Walker, and I hope he will continue that attitude when the minority presents amendments and ask that they also be passed so that everybody can read them and find out what we are trying to do. On occasions, of course, we have not had that courtesy, but since the gentleman from Allegheny, Senator Walker, now takes that position, it is a little late in the session, but I hope we can look forward to his vote when we present amendments on the floor, to find out exactly what we are doing.

I might say to the Senate that the gentleman from Allegheny on my left says this reduces the retirement age to forty-six. That is going to be a new measure, because if that is going to be the age of retirement, then we ought not to have any trouble putting my bill through reducing the old age pension law in Pennsylvania from seventy to

sixty, because that is still fourteen years more than men under this bill would have to be employed.

Mr. President, generally I favor reducing the age limit—I favor increasing the age limit when a boy has to go to work and I favor reducing the age limit so that he can retire earlier.

Mr. President, I have often told the story and I will not repeat it now, but I am like the gentleman from Allegheny—they tried to retire me a few years ago but now I have come to the point where I am willing.

Mr. WALKER. Mr. President, may I respectfully suggest to the gentleman on the other side, if they are willing to have this amendment printed in the bill, we can proceed from there and the subject matter in this bill can then be discussed.

Mr. BARR. Mr. President, to borrow the words of the gentleman from Lehigh, it comes with poor grace to have Pittsburgh policeman come to the floor of the Senate and ask a gentleman who is not a member of the Committee on Local Government to offer these amendments.

First of all, Mr. President, this bill was buried in committee until two weeks ago when, with the help of some members on both sides, I resurrected it and brought it to the position where it now is. This bill never would have come out of the Committee on Local Government if it were not for myself and these gentlemen in Pittsburgh. The committee took the trouble to have the Huggins outfit in Philadelphia, who are actuaries of I think quite good repute, study this bill and they thought the bill the way it came over from the House was very unsound. We took their report, in conjunction with the report of what the city though they could contribute, and that is the way the bill was reported to the floor. The thing these men were most interested in was getting a \$20 increase in their pension, to which we have no objection and which is in the bill.

I ask the members on both sides, in fairness to the city government of the city of Pittsburgh, to vote against these amendments, not tomorrow but today.

Mr. WALKER. Mr. President, I desire to interrogate my colleague from Allegheny, Senator Barr.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BARR. I will, Mr. President.

Mr. WALKER. Mr. President, I would like to inquire whether or not I gather from the remarks of the gentleman from Allegheny, Senator Barr, that he objects to have the amendments printed in the bill and then holding the bill on its present status on the calendar so that we can discuss the effect of the amendments in the printed bill?

Mr. BARR. I do, Mr. President, because I can explain the first amendment. As the bill now reads, a man who has worked for twenty-five years must be fifty-five years of age before he can retire. The way the gentleman from Allegheny wants to amend the bill, a man can be fifty-five years of age or be twenty-five years in service. In other words, Mr. President, a policeman who has gone to work at the age of twenty-one, when he gets to be forty-six years of age can retire, with that one word "or" in the amendment.

Mr. WALKER. Mr. President, may I, through the Chair, thank the gentleman for answering the question.

May I say this, Mr. President, that the amended bill

will be much easier to discuss, and I am not desirous of asking the gentlemen on this side of the aisle to vote on an amended bill they have not had a chance to see.

Therefore, Mr. President, so that I can present the amendments in a printed bill to the members on this side of the aisle at the caucus, I would like to have the privilege of withdrawing these amendments until a later date, because if Senator Barr does not desire to see the printed bill appear on the calendar, I would like to explain it to the caucus, so that they will understand before I ask for a vote in the affirmative or negative on the question presented.

AMENDMENTS WITHDRAWN

Mr. WALKER. Mr. President, I wish to withdraw the amendments.

And the question recurring,

Will the Senate agree to the section?

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 478, entitled:

An Act to add section fifteen point one to the act, approved the eleventh day of July, one thousand nine hundred seventeen (P. L. 818), entitled "An act relating to dogs, and the protection of livestock and poultry from damage by dogs; providing for the licensing of dogs; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs, and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done by dogs, and payment thereof by the proper county to the owners of livestock and poultry, and of damages to licensed dogs; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, and on city councils of cities of the first and second class; and providing penalties," authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. WALKER. Mr. President, I move that Senate Bill No. 490, on second reading, entitled:

An Act to further amend clause (c) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by increasing the total maximum length of motor buses

be recommended to the Committee on Highways, for the purpose of further study and amendments.

Mr. HEYBURN. Mr. President, I second the motion.
The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 632, entitled:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" increasing the minimum and maximum limits of license fees

And said bill having been read at length the second time agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I have just been requested by one of my members on this side to ask unanimous consent that Senate Bill No. 644, on second reading, entitled:

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture.

go over in its order, for one day.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 720, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1340) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring owners and operators in certain cases to furnish proof of financial responsibility providing for the suspension of operator's licenses and motor vehicle registration certificates in cer-

tain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by changing the effective date thereof

be placed on the Second Reading Postponed Calendar.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by requiring cities to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bil No. 771, on second reading, entitled:

An Act to further amend section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institutions districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political sub-

divisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 1178, on second reading, entitled:

An Act to further amend section six hundred seventeen point one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing school districts under certain conditions to appropriate money to nonprofit corporations for the construction of school athletic stadia including adequate equipment of the athletic field with fence enclosures and lighting system

be placed on the Second Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection- The Chair hears none.

Mr. KEPHART read in place and presented to the Chair Senate Bill No. 801, entitled:

An Act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employees which cause or threaten to cause strikes, lockouts, slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utility services and providing means, including regulations affecting the rights, powers and privileges of employers and employees, for the enforcement of such public policy; and providing penalties.

Which was committed to the Committee on Labor and Industry.

Mr. FARRELL. Mr. President, I ask unanimous consent to introduce a bill this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL read in place and presented to the Chair Senate Bill No. 802, entitled:

An Act to further amend Section 2 of the Act approved the sixth day of June, one thousand eight hundred and seventy-one (P. L. 1353) entitled "An act relative to plans of survey and regulation in the City of Philadelphia" as amended by an act approved the third day of May one thousand nine hundred and forty-five (P. L. 404) entitled "An Act to amend the act, approved the sixth day of June, one thousand eight hundred and seventy-one (P. L. 1353), entitled 'An act relative to plans of survey and regulation in the city of Philadelphia,' by restricting the operation of the act to original plans and revisions; changing the time and number and character of the newspapers in which notice of the proposed plans and revisions shall be published, and of the hearing thereon; eliminating the requirement that streets which are the subjects of such plans, or revisions, must extend from street to street as thoroughfares, and must be called public streets; and abrogating the provisions for widening the streets upon the petition of the owners, or majority of feet frontage thereon, or on one side thereof; and by providing that all plans and revisions of plans of land subdivision shall, after approval by the board of surveyors, be recorded in the office of the recorder of deeds, and that owners and purchasers shall be conclusively presumed to have notice thereof," by reducing the minimum number of days for advertising.

Which was committed to the Committee on Local Government.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 507, entitled:

An Act to amend sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Tuesday, May 27, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. WOLFE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:31 o'clock, p. m., Eastern Standard Time until Tuesday, May 27, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

MONDAY, May 26, 1947

The House met at 3:30 p. m., Eastern Standard Time.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove offered the following prayer:

Our heavenly Father, in wrath Thou dost remember mercy. Thou dost live and rule and direct all things and we are Thine to work out Thy will and purpose. Prepare us for all events and may we rest in Thee and trust the truth. Bless and help us with the assurance that the Judge of all the earth will do right. For Thy name sake, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, May 22, 1947.

The Clerk proceeded to read the Journal of Thursday, May 22, 1947, when, on motion of Mr. FOOR unanimously agreed to, the further reading was dispensed with and the Journal approved.

PUPILS OF CONEWAGO TOWNSHIP SCHOOL WELCOMED

The SPEAKER. The Chair is pleased to have as guests this afternoon the seventh and eighth grade pupils of Conewago Township Public School, Adams county, under the direction of John H. Riley, principal, Miss Gertrude Renner and Miss Betty Jane Greiman, teachers. They are the guests of the gentleman from Adams, Mr. Worley.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 498.

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

Referred to the Committee on Ways and Means.

SENATE BILL No. 534.

An Act directing the Department of Public Instruction to revise the curricula of elementary, secondary and vocational schools to effectuate a more thorough understanding and appreciation of American form of government and the principles for which it stands.

Referred to the Committee on Education.

SENATE BILL No. 670.

An Act to further amend section one thousand four hundred two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" defining the residence of certain children living upon State owned property and providing for certain Commonwealth reimbursements.

Referred to the Committee on Education.

SENATE BILL No. 682.

An Act to further amend rule seventy-seven of section six of article eleven of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring that non-gaseous mines upon becoming gaseous shall discontinue the use of certain electrical equipment within a certain period of time authorizing the Secretary of Mines to extend such period for an additional period after investigation and requiring such mines to otherwise comply with all laws relating to gaseous mines.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 683.

An Act to further amend section three of Article XXVIII of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An Act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" applying certain regulations to mines employing fewer than five persons and providing penalties.

Referred to the Committee on Mines and Mining.

BILLS INTRODUCED AND REFERRED

By Mr. WOOD HOUSE BILL No. 1340

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

Mr. WOOD. HOUSE BILL No. 1341

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

Mr. WOOD. HOUSE BILL No. 1342

A further supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts Page 63) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty first, one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and forty-seven.

Referred to the Committee on Appropriations.

Mr. WOOD. HOUSE BILL No. 1343

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-seven, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-seven.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. DE LONG (Concurrent) RESOLUTION No. 55

In the House of Representatives, May 22, 1947.

Whereas, The Pennsylvania Interscholastic Athletic Association, generally known as the "P.I.A.A.," is an organization deriving its powers and authority by concurrent action of the various county and district superintendents of the public schools of the Commonwealth and is otherwise without any supervision or control, and

Whereas, Among other things, the "P.I.A.A." exercises power and authority over the determination of the eligibility of pupils participating in the various interscholastic athletic contests and likewise has the power to arbitrarily reverse or change determinations of eligibility of such pupils and to decree that a school which has earned a championship in its division shall forfeit the same and the games leading to such championship, and

Whereas, The matter of the eligibility of players and a school's right to an earned championship are matters of the utmost concern to the pupils of the public schools and to their attitude towards interscholastic athletic contests and the spirit of sportsmanship engendered thereby, and

Whereas, The functions now exercised by the "P.I.A.A." in Pennsylvania are, in many other States, deemed of such importance to the general educational program as to be under the supervision of a State department and it may well be questioned whether such functions should not be so considered of such importance in this Commonwealth so that responsibility to a central authority attaches to such functions, therefore be it

Resolved, (If the Senate concurs) that a joint interim legislative committee is hereby established to be composed

of five members of the House of Representatives to be appointed by the Speaker and five members of the Senate of Pennsylvania, to be appointed by the President pro tempore to study the problem of eligibility of players who participates as pupils of the public schools of Pennsylvania on the various athletic teams taking part in interscholastic athletic contests and the elements required governing the right of a given school to be champions in any particular line of sports, and further to investigate the activities and methods employed by the Pennsylvania Interscholastic Athletic Association in arriving at its decisions and particularly in ruling on the status of teams that have earned championships where the eligibility of the players on such team had been previously approved by the association, and be it further

Resolved, That the committee created hereby, acting for and on behalf of the General Assembly, shall have power to meet, hold hearings and, make their investigations and studies whether or not the General Assembly is in regular or special session or is in adjournment. The committee shall report to the General Assembly at its session in 1949 its findings with respect to the operation of the Pennsylvania Interscholastic Athletic Association and the general subject of student player eligibility and the rights of schools to championship status in athletics and at such time to submit its recommendations, if any, as to any legislation which may be needful to correct abuses, evils or unfair practices in connection therewith, and be it further

Resolved, That the committee created hereby shall have the power to issue subpoenas under the hand and seal of its chairman requesting or commanding any proper person to appear before it and to answer such questions touching matters with respect to such inquiry for and on behalf of the General Assembly and to procure such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any proper person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth by the General Assembly itself. Each member of the committee shall have the power to administer oaths and affirmations to witnesses appearing before it.

Referred to Committee on Rules.

By Mr. LAYER. (Concurrent) RESOLUTION No. 56.

In the House of Representatives, May 22, 1947.

Whereas, The United States Marine Corps has been a shining example of faithful and efficient service to our Nation for more than 172 years; and

Whereas, The United States Marine Corps has been a source of strength whenever our Nation has been threatened, and

Whereas, The United States Marine Corps, alone of all the elements of our armed services, possessed the vision to develop the science of waging amphibious warfare, which knowledge permitted our Nation's offensive might to be carried to enemy shores and which proved to be the key to victory in a global war, and

Whereas, 50,872 of the young men of this Commonwealth of Pennsylvania have served our Nation during World War II in the United States Marine Corps, and

Whereas, The United States Marine Corps is threatened with extinction if the merger bill now pending in the Congress of the United States is passed in its present form, and

Whereas, The abolition of the United States Marine Corps would be a disastrous loss to our Nation, therefore be it

Resolved, (If the Senate concurs) That the existence of the United States Marine Corps be assured by amendment to any merger bill, such amendment specifically providing that the United States Marine Corps shall continue to serve as our Nation's amphibious troops and as a force in instant readiness to protect our Nation, and be it further

Resolved, That the Secretary of the Commonwealth is

hereby directed to forward certified copies of this resolution to the President of the United States, the President pro tempore of the United States Senate, the Speaker of the House of Representatives of the United States, the Secretary of the Navy, the Commandant of the United States Marine Corps, and members of the Congressional delegation from the Commonwealth of Pennsylvania.

Referred to Committee on Military Affairs.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS 346, 362, 439, 487, 494, 670, 1148 and 1313.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 3, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 346, Printer's No. 33, entitled "An Act to validate the title to real estate for which a deed or transfer was properly executed and recorded without containing a certificate setting forth the residence of the grantee."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 362, Printer's No. 313, entitled "An Act to amend section two of the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 802) entitled 'An act to fix the standard weights of containers for wheat and corn flours cornmeals hominy and hominy grits and to provide penalties for the violation of this act' extending provisions of the act."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 439, Printer's No. 61, entitled "An Act to add section five point one to the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended 'An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barbershops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties' further regulating apprentices and students and their registration in such occupation in certain cases."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 487, Printer's No. 67, entitled "An Act to add subsection three point one to section eight of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled 'An act establishing a public school employees' retirement system and creating a retirement board for

the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employees exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by further providing for certain Commonwealth contributions to the fund."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 494, Printer's No. 271, entitled "An Act to further amend the act approved the nineteenth day of June one thousand nine hundred thirty-one (P. L. 589) entitled as amended 'An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties' by further regulating the practice of barbering the annual renewal of certificates and the eligibility requirements for examinations."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 670, Printer's No. 341, entitled "An Act to amend section four hundred two of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled 'An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws' providing that in certain cases moneys assessed and collected from property owners adjoining or abutting improvements may be paid into a revolving fund and not in the sinking fund."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1148, Printer's No. 580, entitled "An Act to further amend section one thousand four of the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 624) entitled 'An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers

directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts' further regulating the pledge of assets for deposits."

JAMES H. DUFF

May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1313, Printer's No. 439, entitled "An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (Appropriation Acts page 20 Act No. 26-A) entitled 'An act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school' increasing the per capita annual maintenance rate of wards of the State and the amount of the total appropriation."

JAMES H. DUFF

REPORT OF THE SCHOOL COMMISSION

The SPEAKER laid before the House a report of the School Commission in reply to a Resolution (Serial No. 63) adopted by the House of Representatives on May 22, 1947, which was read by the Clerk.

(For report see Appendix)

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Foor for Mr. CLEVENGER for the remainder of the week because of illness.

CONGRATULATORY RESOLUTION

Mr. SORG offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The SPEAKER. The Chair is compelled to leave the Chair during the consideration of this Resolution, and therefore, will ask the gentleman from Delaware, Mr. Turner, to preside

Mr. TURNER IN THE CHAIR.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 26, 1947.

In his accomplishments in the affairs of government or in private pursuits a man takes justifiable pride, and experiences the highest reward in the realization that his work is good and that through his efforts something worth while has been attained.

By his associates, as well—those whose privilege it is to work with and for him—his work is recognized and appreciated. They give him honor and respect and rejoice in the reflection of his success.

Public recognition is not gained through success in a single or limited undertaking. The sphere of influence must be wide and the fruits of endeavor must be many and consistent. Then first—though a man have many friends—will the honors of positions of trust and responsibility, that are of the American people to give, be conferred on him.

At the legislative session of 1939, the Honorable Franklin H. Lichtenwalter first took his seat as a member of the House of Representatives of the Commonwealth. His election was a recognition of past services in his home county of Lehigh. In further recognition of his ability and qualifications as an assemblyman and as a leader and sound counsellor in the complex problems of legislation, he became successively the leader of his party in the House, and finally had bestowed upon him the highest office in this deliberate body, the Speakership.

That his services have been able, conscientious and efficient is now once more testified to by the fact that he has been chosen in the congressional district composed of the counties of Lehigh and Bucks, in which there is no dearth of capable men, as the candidate of his party for election to Congress to fill the vacancy caused by the death of the Honorable Charles L. Gerlach, a veteran of many years of service in the National House of Representatives; therefore be it

Resolved, That in attaining honor for himself, the Speaker of this body has honored the Assembly of which he is a member, and that it, in turn, now do him honor by an entry on its official journal of the fact of the distinction given him by the unanimous action of the conferees of the Republican Party in Lehigh and Bucks counties; that the congratulations of this House be tendered him, and its warmest wishes for continued success in every position of honor and confidence that may be bestowed upon him in the future, all of which he has truly earned and rightly deserves; and be it further

Resolved, That, in testimony of its appreciation of his services and its confidence that he is capable of greater services and worthy of further honors, the House of Representatives hereby instruct its Chief Clerk to transmit a copy of these resolutions, certified under the seal of the House, to its popular Speaker, the Honorable Franklin H. Lichtenwalter.

On the question,

Will the House adopt the resolution

Mr. ANDREWS. Mr. Speaker, I will say to the gentleman from Lehigh, beware of politicians when they come bearing gifts. I have known very few Congressmen that became Governors. I know one Senator who was a Congressman, and his little boy asked him, "Papa, is a Senator higher than a Congressman?" the Senator said, "Yes, Willie, I think he is." Well, Willie thought a minute and he said, "Papa, tell me what is lower than a Congressman?"

I can tell you, Mr. Speaker, what is higher than a Congressman, the Speaker of this House, a position of statewide leadership in that community which is Pennsylvania. I know of no Congressmen from Pennsylvania whose names are household words, but in every county of the Commonwealth the name of the Speaker is known and respected. In one sense it is a good thing to send him to Washington—if he manages to get through. The Democratic National Committeeman said to me on one occasion, "You watch that fellow Lichtenwalter, he is smart, he is clever." There may be people in high circles in Pennsylvania politics who recognize the fact that he is clever and that he is smart and would like to submerge him as a first term Congressman.

I am sorry to see him make this move. I don't believe that he has been promoted. If he chooses to that field of service, I would say God speed him, and God bless him, but I am sorry that he is leaving these halls, that he is leaving Pennsylvania as a community represented as it is in this General Assembly, because as I say even the Republicans now and then elect a Governor, and I never heard of them electing a Congressman as Governor.

The SPEAKER pro tempore. The Chair will only say to the gentleman from Cambria that perhaps the Speaker heeded the words of the gentleman from Westmoreland, Mr. Lovett, the other day in debate, when he kept warning us as to what would happen to us at the next session, the present person in the Chair, having had some experience in having been a Speaker and having been succeeded by a Democratic Speaker.

Mr. SORG. Mr. Speaker, the gentleman from Cambria strikes a few notes that particularly impress me. As much pride and as much pleasure as I derive from presenting this particular resolution, I cannot help but feel some regret, particularly because he will come through. But I do feel full justification and full confidence, and derived more pleasure in accepting the judgment of our Speaker, because I happen to be one of those who feel that it is not the end of the road, but just one more step further along a brilliant career.

The SPEAKER pro tempore. The question is on the resolution. Those in favor will please rise until counted by the Clerk.

On the question,

Will the House adopt the resolution?

It was unanimously adopted by a rising vote.

The SPEAKER pro tempore. I presume at this time that the Chair should return to the Speaker the gavel, but I would ask the indulgence of the House for just a moment to add my own small voice to what has been said by the two leaders of this House. I think we all feel that it must be a momentous choice to be made by a man whom we all felt was destined and is destined for high office, but I think that not only the counties of Lehigh and Bucks but the Commonwealth of Pennsylvania and the United States of America will be benefited by the sacrifice which the Speaker apparently to some of you has made. I do not believe that it will be the end of the road. He is a young man at the time of life when he should go to Congress. It is a wonderful contribution to the legislative and political background he has had here in this Commonwealth and I do not believe that any precedent in the past as to what other Congressmen have achieved will hold down the Speaker of this House. I think he is making the right move and I am confident he will never regret it, because I believe the people of Pennsylvania will recognize his true worth for the office that he should hold sometime in the future.

THE SPEAKER (Franklin H. Lichtenwalter) IN THE CHAIR.

The SPEAKER. This again is one of those occasions where words fail me. I stated to the conference of the Bucks and Lehigh Congressional District on Friday that I felt at the moment of the announcement of my having been the unanimous selection of my party to represent that District in the special election on September 9th, as I did on the opening day of this session when I was escorted to this rostrum. This is now the third occasion when I can sincerely and truly tell you, my friends, that I am without words to explain to you, first of all, my deep appreciation for the kindnesses that all of you have shown me, and I hope particularly will do so during the months to come, because after all I am not yet elected to Congress. I intend to serve as Speaker, God willing, and if your

patience will last a little longer through this session and for some time.

Truthfully in presenting this resolution, I am not the sentimental type exactly, but my emotions are stirred. You who have been so close to me, I feel after September 9th will be greatly missed as I travel the road to Harrisburg on my way to Washington. That depends on the good people of Bucks and Lehigh Counties, and I certainly will continuously be reminded of the happy moments, yes, not moments but hours and days and months and years, of the pleasant associations and friendships that I have enjoyed regardless of party affiliation in my state and in Harrisburg. If I am fortunate enough to be elected to Congress I want to assure you that I will be back and visit you, and I hope that I may have some small part in solving the problems of the nation as I have had some small part in solving the problems, I hope, of the people of the Commonwealth of Pennsylvania. I thank you very much.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. CADWALADER asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1216, entitled:

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 247, entitled:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 381, entitled:

An Act permitting employes of counties of the second class to accumulate their annual sick leaves and making such right retroactive

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial workers and others

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I simply wanted to inquire whether on page 2, lines 5 and 6, that language was the language that they wanted in the act, "The Department of Health shall commission such research."

Mr. TURNER. Mr. Speaker, all I can tell the gentleman is that the bill was drawn by those interested in this subject, and it to my recollection follows the appropriation in 1945.

Mr. ANDREWS. Mr. Speaker, it is simply a matter of language. I don't know whether they used the words that they wanted to use at the end of line 5, and the first word in line 6.

Mr. TURNER. Mr. Speaker, I think the word "commission" is used in the sense of designating or asking.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 700, entitled:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid fixing the interests of all taxing authorities where such lands are purchased by the city providing for the distribution of moneys received as income from or resale of such lands and providing for a method of reselling such lands purchased by the city or by the city and school district within said city at any sale for the nonpayment of taxes free and clear of all mortgages ground rents interest in or claims against said lands

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1162, entitled:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contents creating and dening membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commisisoners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts reating to elections" further providing for payment of filing fees in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1250, entitled:

An Act making an appropriation to the Franklin Institute of the State of Pennsylvania at Philadelphia.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees Retirement Board to meet

the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, on this measure I would like to consult the Speaker's lawyer, the Majority Leader.

The SPEAKER. The gentleman from Cambria, Mr. Andrews, desires to consult the Speaker's lawyer. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the gentleman from Elk, Mr. Sorg, whether the purposes contemplated in this bill covered by this appropriation are purposes that come within the purview of the amendment to our constitution regarding the diversion of the Motor License Fund. Can the Legislature appropriate for these purposes?

Mr. SORG. In my opinion they can, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, are there any decisions that will classify the purposes of this appropriation as being connected with administration?

Mr. SORG. I know of no specific decision, Mr. Speaker, and I know of no question that has been raised in that connection.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1260, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1262, entitled:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation"

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does this bill mean that the administration is abandoning any thought of providing through the Commonwealth itself additional office buildings in Pittsburgh and in Philadelphia, buildings that would be owned by the Commonwealth, and is it the policy now to continue to rent such space instead of building?

Mr. SORG. Yes, Mr. Speaker. In accordance with the provisions set forth in the budget message—I don't recall the exact date—but this bill does repeal and lapse the appropriation.

Mr. ANDREWS. I was asking more particularly, Mr. Speaker, as to whether this bill was a declaration of policy on the part of the administration, that it preferred to rent these buildings rather than build them.

Mr. SORG. For the time being, that is so, Mr. Speaker.

Mr. ANDREWS. I thank the gentleman.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSION TO ADD ADDITIONAL SPONSOR

Mr. COOPER asked and obtained unanimous consent to add the name of Mr. DAVISON as an additional sponsor to House Bill No. 1287.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1287, entitled:

An Act to provide for the change of object of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1309, entitled:

An Act concerning fish frogs terrapin animals of aquatic habits amphibian and other aquatic life in the waters of this Commonwealth establishing ownership jurisdiction and control over the same enacting amending revising consolidating and changing the fish laws fixing penalties providing for enforcing the laws granting powers and authority to the Board of Fish Commissioners enlarging and conferring jurisdiction of magistrates justices of the peace aldermen and courts providing for establishment maintenance of a fish fund and the uses thereof providing for the taking transportation protection production and distribution of fish and aquatic life providing for acquisition and improvements of lands and waters for the production of fish establishing public fishing areas and repealing certain laws

The first section was read.

On the question,

Will the House agree to the section?

Mr. TOMPKINS. Mr. Speaker, I desire to interrogate the gentleman from Lycoming, Mr. Elder.

The SPEAKER. Will the gentleman from Lycoming permit himself to be interrogated?

Mr. ELDER. I shall Mr. Speaker.

Mr. TOMPKINS. Mr. Speaker, it is my recollection that this bill was not in print on last Thursday and that it went over to give the Members an opportunity to thoroughly study it over the week-end. I understand that there are several amendments proposed to be introduced in connection with this bill. I have no objection to second reading if we can have unanimous consent to introduce amendments to the bill on third reading. This bill is known as the fish code and there are several things we would like to study in connection with it.

Mr. ELDER. Mr. Speaker, did I understand the gentleman to say that the bill was not in print last Thursday?

Mr. TOMPKINS. Mr. Speaker, I did not receive a copy of it, if it was. It was not on my desk.

The SPEAKER. The bill was not in print on last Thursday.

Mr. ELDER. Mr. Speaker, I would consent to the passing of the bill over and to the offering of amendments on third reading provided they present a copy to me.

BILL PASSED OVER

The SPEAKER. If the Chair understands correctly, the gentleman requests that the bill be passed over because the bill was not in print last Thursday, and it was passed over to give the Members an opportunity to study it over the week-end. The sponsor has graciously stated that he will allow the bill to be passed over.

If there are no objections the bill will be passed over. The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1336, entitled:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

The first section was read,

On the question,

Will the House agree to the section?

BILL RECOMMENDED

Mr. WESCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such districts

The first section was read.

On the question,

Will the House agree to the section?

Mr. RAGOT offered the following amendment:

Amend sec. 1 (Sec. 812), page 3, line 6, by inserting after the word "district" the following: "Provided, That when acting in the capacity of a political committee, such duly elected or appointed members shall be subject to the control, direction, and supervision of the political committee of which they are members."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. RAGOT offered the following amendment:

Amend title, page 2, last line of title by inserting after the word "district" the following: "subject to the control of the respective political committee of which they are members."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 310, entitled:

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 314, entitled:

An Act to further amend section seven of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" permitting the Department of Forests and Waters to use dams lakes reservoirs and adjoining lands acquired for flood control purposes as recreational areas

and providing for the installation of flood forecasting and warning systems

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 316, entitled:

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age; eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension

funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employees' Retirement Fund for certain purposes" as last amended by the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 160) by adding to the title and by adding section one and one-tenth a provision relating to the purchase by the municipality of Pension Annuity Contracts for policemen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 639, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

RESOLUTION

Mr. HEWITT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 26, 1947.

Whereas House Bill No. 1086, Printer's No. 401, entitled:

"An Act to amend rule fifteen of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," further regulating operations approaching inaccessible workings."

the official copy of which was re-committed by the House to the Committee on Mines and Mining, Monday, April 21, 1947, has been lost.

Be it Resolved, That the Chief Clerk of the House hereby is directed to furnish to the Committee on Mines and Mining a certified copy of House Bill 1086, Printer's No. 401 which copy shall be substituted for the original, for the consideration of the committee on Mines and Mining.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration of final passage of Senate Bill No. 318, as follows:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attach such sales are instituted within six years after the effective date of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title to real estate heretofore sold by any city of the third class of this Commonwealth if the sale was authorized by an ordinance or resolution of the city council of said city and shall not be attacked in any proceedings instituted within six years after the effective date of this act is hereby declared to be good and valid and free and clear of any defects and any such person partnership or corporation grantee thereunder and his or her or its respective heirs successors and assigns shall hold and may convey such title and estate and all such conveyances heretofore made are hereby ratified and confirmed Nothing in this act shall be construed to apply to property which the city acquired other than by purchase

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Eisenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,

Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is required.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection,

House Bill No. 22, Printer's No. 653

was passed over temporarily at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 168, as follows:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public buildings for anti-stream pollution projects and for flood control projects creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund defining the powers and duties of the Governor the Auditor General the State Treasurer and the Board of Finance and Revenue in relation thereto providing for the payment of interest on and the redemption of such bonds and making appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Pursuant to the adoption by the people at the municipal election held in November one thousand nine hundred forty-five of an amendment to article nine of the Constitution of Pennsylvania which reads as follows

"Section 21 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of fifty million dollars (\$50,000,000) for the construction of public buildings highways drainage and sanitary systems anti-stream pollution and flood control projects for purposes of reforestation and for the rehabilitation and hospitalization of war veterans" the Governor the Auditor General and the State Treasurer in accordance with the provisions thereof and on the credit of the Commonwealth of Pennsylvania are hereby authorized and directed from time to time to borrow such sum or sums of money not exceeding in the aggregate the sum of fifty million dollars (\$50,000,000) as may be deemed necessary to carry out the purposes of said amendment and statutes passed in conformity therewith

Section 2 Bonds Issue Maturity Interest Et Cetera

(a) As evidence of the indebtedness herein authorized bonds of the Commonwealth of Pennsylvania shall be issued from time to time for such total amounts in such form in such denominations and subject to such terms and conditions of issue redemption and maturity rate of interest not to exceed six per centum (6%) per annum and time of payment of interest as the Governor Auditor General and State Treasurer shall direct

(b) All bonds issued under the authority of this act shall bear the facsimile signatures of the Governor

Auditor General the State Treasurer and a facsimile of the great seal of the Commonwealth of Pennsylvania and shall be countersigned by two duly authorized officers of the duly authorized loan and transfer agent of the Commonwealth

(c) The principal and interest of such bonds shall be payable in lawful money of the United States All bonds issued under the provisions of this act shall be exempt from taxation for State and local purposes

(d) Such bonds may be issued with or without interest coupons attached In case interest coupons are attached they shall contain facsimile signatures of the State Treasurer and the Auditor General

(e) The Governor the Auditor General and the State Treasurer shall proceed to have the necessary bonds prepared and printed The bonds as soon as they are prepared and printed shall be forthwith deposited with the duly authorized loan and transfer agent of the Commonwealth there to remain until sold in accordance with the provisions of this act

Section 3 Sale of Bonds Whenever bonds are so issued they shall be offered for sale at not less than par and accrued interest and shall be sold by the Governor the Auditor General and State Treasurer to the highest and best bidder or bidders after due public advertisement on such terms and conditions and upon such open competitive bidding as the Governor Auditor General and State Treasurer shall direct The manner and character of such advertisement and the time of advertising shall be prescribed by the Governor the Auditor General and the State Treasurer

Any portion of any bond issue so offered and not sold or subscribed for may be disposed of by private sale by the Governor the Auditor General and the State Treasurer in such manner and at such prices not less than par and accrued interest as the Governor shall direct No commission shall be allowed or paid for the sale of any bonds issued under the authority of this act

Section 4 Disposition and Use of Proceeds The Proceeds realized from the sale of bonds under the provisions of this act shall be paid into the State Treasury and deposited in a special fund to be known as the Public Buildings Construction Fund which is hereby created and shall be used for the payment of the cost of the construction of public buildings for anti-stream pollution projects and for flood control projects as provided for in the constitutional amendment hereinbefore cited and in legislation passed in conformity therewith

Section 5 Registration of Bonds The Auditor General shall prepare the necessary registry books to be kept in the office of the duly authorized loan and transfer agent of the Commonwealth for the registration of any bonds at the request of owners thereof All bonds which are issued without interest coupons attached shall be registered in the registry books kept by the duly authorized loan and transfer agent of the Commonwealth

Section 6 Information to General Assembly It shall be the duty of the Governor during the biennial sessions of the General Assembly to give to the General Assembly full information relating to the issuance of bonds under the provisions of this act to enable the General Assembly to provide by appropriation any moneys necessary for the sinking fund of the Commonwealth for the payment of the interest on said bonds and the principal thereof at maturity

Section 7 Public Buildings Construction Sinking Fund Investments Redemption of Bonds All bonds issued under the authority of this act shall be redeemed at maturity and all interest due from time to time on such bonds shall be paid from the Public Buildings Construction Sinking Fund For the specific purpose of redeeming said bonds at maturity and paying all interest thereon the General Assembly shall appropriate biennially the moneys necessary to pay the interest on said bonds and the principal thereof at maturity All moneys so appropriated shall be paid into the Public Buildings Construction Sinking Fund by the State Treasurer All of such moneys not necessary to pay accruing interest shall be invested by the Board of Finance and Revenue in such securities as are provided

by law for the investment of the sinking funds of the Commonwealth

The investments and such moneys and the accumulations thereon in the sinking fund shall be devoted to and be used exclusively for the payment of the interest accruing on such bonds and their redemption at maturity. The Board of Finance and Revenue is authorized at any time to use any of such funds for the purchase and retirement of all or any part of the bonds issued under the authority of this act. In the event that all or any part of said bonds shall be purchased by the Board of Finance and Revenue they shall be canceled and returned to the State Treasurer as canceled and paid bonds and thereafter all payments of interest thereon shall cease and the canceled bonds and coupons shall be destroyed within two years after cancellation in the presence of the Governor, the Auditor General and the State Treasurer. A certificate evidencing the destruction satisfactory to the duly authorized loan and transfer agent of the Commonwealth shall be furnished to it. All canceled bonds and coupons shall be so marked as to make the canceled bonds and coupons non-negotiable.

Section 8 Present Biennium Requirements The Board of Finance and Revenue shall determine the amount of money necessary for the payment of interest on the bonds and the principal thereof if any for the two fiscal years beginning June first one thousand nine hundred forty-seven and the times and amount of such payments and the amount so determined shall be transferred from the Public Buildings Construction Fund to the Public Buildings Construction Sinking Fund and for such purpose as much of the money in the Public Buildings Construction Fund as may be necessary is hereby appropriated. Should the moneys in the Public Buildings Construction Fund for any reason not be available for the payment of interest on the bonds or the principal thereof if any the funds necessary for such purpose are hereby appropriated from the General Fund and whenever any moneys are transferred from the Public Buildings Construction Fund for the payment of said interest on and principal of said bonds and such moneys are needed for the payment of the construction of public buildings for anti-stream pollution projects and for flood control projects as provided by law there is hereby appropriated from the General Fund a sum sufficient to restore to the Public Buildings Construction Fund the moneys so transferred.

Section 9 Quorum Whenever in this act a new action is to be taken or decision made by the Governor, the Auditor General and the State Treasurer and the three officers shall not be able unanimously to agree the action or decision of the Governor and either the Auditor General or State Treasurer shall be binding and final except that it shall be the mandatory duty of the Governor, the Auditor General and the State Treasurer to issue bonds to provide funds for the construction of public buildings when the Secretary of Property and Supplies with the approval of the Governor shall decide to do so.

Section 10 Appropriation The sum of twenty-five thousand dollars (\$25,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of providing such bonds for the payment of the cost of advertising the same and for all other costs and expenses in connection with the issue sale and registration of said bonds. Payments from said appropriation shall be made by requisition of the Auditor General after approval of vouchers by the Governor, Auditor General and State Treasurer.

Section 11 Effective Date This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Fullerton,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Pettigrew,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davidson,	Kratz,	Powers,	Wallin,
De Long,	Kirley,	Price,	Walton,
Demech,	Kilne,	Propert,	Waterhouse,
Dennison,	Kohl,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger.

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 245, as follows:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authorities to make available for veterans of World War II temporary emergency housing accommodations empowering them to acquire by purchase gift or eminent domain certain dwellings and other structures providing for their organization and the exercise of their powers and duties including the borrowing of money issuing bonds and other obligations the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Veterans' Housing Authority Act"

Section 2 Findings and Declaration of Policy (a) It is hereby declared that a serious public emergency exists affecting and threatening the health safety welfare and comfort of the people of the Commonwealth by reason of the acute shortage of dwelling accommodations for returning veterans of World War II and their families

(b) The existence of such emergency requires that immediate measures be taken to provide temporary emergency housing accommodations for such veterans and their families even though it is recognized that the housing facilities acquired for such purposes will not meet the requirements of permanent housing

Section 3 Definitions The following words and terms as used in this act shall have the meaning herein ascribed to them unless the context clearly requires another meaning

(a) "Authority" Any Veterans' Housing Authority created under the provisions of this act

(b) "Bonds" Any bonds certificates notes debentures or other obligations of an Authority issued pursuant to this act

(c) "City" Any city of the first second second class A or third class

(d) "County" Any county other than a county of the first class

(e) "Governing body" In the case of a city the city council or other legislative body thereof In the case of a county the board of county commissioners or other legislative body thereof

Section 4 Formation of Authorities

(a) There are hereby created separate and distinct bodies corporate and politic one for each city and one for each county of the Commonwealth as herein defined Each such body shall be known as the Veteran's Housing Authority of the city or the county as the case may be but shall in no way be deemed to be an instrumentality of such city or county or engaged in the performance of a municipal function Each such Authority shall transact no business or otherwise become operative until and unless a finding is made as hereinafter provided in this section

(b) At any time after passage of this act the governing body of any city or county may find and declare by proper ordinance or resolution that there is need for an Authority to function within the territorial limits of said city or county as the case may be

(c) The governing body shall cause a certified copy of such ordinance on resolution to be filed with the Department of State and duplicates thereof with the State Board of Housing and the State Planning Board upon receipt of the said certificate the Secretary of the Commonwealth shall issue a certificate of incorporation

(d) In any suit action or proceeding involving or relating to the validity or enforcement of any contract or act of an Authority a copy of the certificate of incorporation duly certified by the Department of State shall be admissible in evidence and shall be conclusive proof of the legal establishment of the Authority

Section 5 Appointment and Qualifications of Members of Authority Upon certification of a resolution declaring the need for an Authority to operate in a city or county the mayor or board of county commissioners thereof respectively shall appoint as members of the Authority five citizens who shall be residents of the city or county in which the Authority is to operate

Section 6 Tenure and Compensation of Members of Authority The members who are appointed shall serve for the duration of the existence of the Authority as hereinafter provided Vacancies shall be promptly filled by the appointing power A member shall receive no compensation for his services but shall be entitled to the necessary expenses including traveling expenses incurred in the discharge of his duties

Section 7 Organization of Authority The members of an

Authority shall select from among themselves a chairman a vice-chairman and such other officers as the Authority may determine An Authority may employ a secretary an executive director its own counsel and legal staff and such technical experts and such other agents and employees permanent or temporary as it may require and may determine the qualifications and fix the compensation of such persons Three members of an Authority shall constitute a quorum for its meetings Members of an Authority shall not be liable personally on the bonds or other obligations of the Authority and the rights of creditors shall be solely against such Authority An Authority may delegate to one or more of its agents or employees such of its powers as it shall deem necessary to carry out the purposes of this act subject always to the supervision and control of the Authority

Section 8 Interest of Members or Employees No member or employee of an Authority shall acquire any interest direct or indirect in any dwelling or other housing accommodation or in any real estate which he may have reason to believe may be purchased or leased by an Authority nor shall he have any interest direct or indirect in any contract or proposed contract for materials or services to be furnished or used by an Authority The acquisition of any such interest in any dwelling or housing project or in buildings to be converted into housing projects or in any such property or contracts shall constitute misconduct in office If any member or employee of an Authority shall already own or control any interest direct or indirect in any property later included or planned to be included in any veterans temporary housing project under the jurisdiction of the Authority or has any such interest in any contract for material or services to be furnished or used in connection with any such project shall disclose the same in writing to the Authority and to the State Board of Housing and the local governing body and such disclosure shall be entered in writing upon the minute books of the Authority Failure to make such disclosure shall constitute misconduct in office

Section 9 Powers of an Authority An Authority shall constitute a public body corporate and politic exercising public powers of the Commonwealth as an agency thereof which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this act including but not being limited to the following powers in addition to those herein otherwise granted

(a) To cooperate with the Federal or State government or any agency or authority created by law the purpose of which is to fulfill the purposes set out in this act

(b) To act as agent of the State or Federal government or any of its instrumentalities or agencies for the purposes set out in this act

(c) To acquire by purchase gift or eminent domain by lease or license subject to any reasonable terms or conditions required by the owner real property including but not limited to the types herein set forth

(1) Military and naval installations which the Federal government is willing to make available to such Authority for emergency housing

(2) Any unused or untenable homes or housing accommodations which can be made suitable for temporary emergency housing

(3) Any structure which by conversion may furnish temporary emergency housing

(4) Any building or structures suitable for emergency housing whether publicly or privately owned

(d) To contract for the performance of all or any part of such work of construction reconstruction alteration repair improvement conversion with such persons as are capable of performing such work provided that in the award of any such contract the authority shall comply with all requirements as to advertising competitive bids and award applicable contracts of the county or city in and for which the authority was created

(e) To contract with public utilities or municipalities for the various utility and public services

(f) To purchase and provide if desirable such furniture and furnishings as may be necessary for the health and welfare of the veterans and their families to occupy such emergency housing facilities

(g) To insure or provide for the insurance of any property or operations of the Authority against any risks or hazards

(h) To borrow from private lenders or from the State or Federal government such funds as may be available and necessary for the operation and work of the Authority

(i) To sell or otherwise dispose of any real or personal property acquired under the provisions of this act

(j) To sue and to be sued

(k) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the Authority

(l) To make and from time to time amend and repeal by laws rules and regulations relating to the purposes of the Authority

(m) To conduct examinations and hearings and to authorize a member to administer oaths take affidavits and issue subpoenas

(n) To enter upon any building or property in order to make surveys or inspections

(o) To do all and any acts necessary to make available such emergency housing facilities in the shortest possible time

Section 10 Local Ordinances Not Applicable (a) Notwithstanding any provision of any law to the contrary the real property acquired operated and maintained by any Authority under the provisions of this act shall not be subject to any local ordinances or State laws relating to minimum requirements of construction and repair under building codes plumbing and inspection laws and any other laws relating to the erection and maintenance of buildings for dwelling purposes

(b) The State Board of Housing shall as soon as practical after the passing of this act establish by regulation minimum safety and health requirements for real property acquired by authorities under the provisions of this act In establishing such minimum requirements the State Board of Housing shall take into consideration the temporary and emergency nature of the real property for which such regulations are to be established All real property purchased or otherwise acquired by an Authority shall conform to such minimum requirements

Section 11 Real Estate Tax Exemption Any real property acquired maintained and operated by an Authority under the provisions of this act shall not be subject to taxation by any political subdivision or local taxing authority

Section 12 Operation and Maintenance of Emergency Dwellings Any real property acquired by an Authority under the provisions of this act shall be rented only to veterans of World War II and their families at such a rent and upon such terms and conditions as such Authority by regulation shall prescribe in renting any such real property it shall be unlawful to make any discrimination whatsoever on account of race creed or color The Authority shall operate and maintain such temporary emergency housing facilities for so long a period as the housing conditions in the area in which Authority operates shall require Provided however That no Authority shall continue for a longer period than hereinafter provided

Section 13 Eminent Domain Title to any property acquired by an Authority through eminent domain shall be an absolute or fee simple title unless a lesser title shall be designated in the eminent domain proceedings The Authority may exercise the right of eminent domain in the manner provided by law for the exercise of such right by cities or counties as the case may be of the same class as the city or county in which such Authority is organized to operate If any of the real property which is to be acquired has prior to such acquisition been devoted to another public use it may nevertheless be acquired by condemnation Provided That no real property belonging

to a city county or to the Commonwealth may be acquired without its consent No real property belonging to a public utility corporation may be acquired without the approval of the Public Utility Commission

Section 14 Bonds of an Authority An Authority shall have power to issue bonds for any of its corporate purposes the principal and interest of which are payable from its revenues generally Any of such bonds may be secured by a pledge of any revenues including grants or contributions from the Federal or State Government or any agency and instrumentality thereof or by a mortgage of any property of the Authority

The bonds issued by an Authority are hereby declared to have all the qualities of negotiable instruments under the law merchant and the negotiable instruments law of the Commonwealth of Pennsylvania

The bonds of an Authority created under the provisions of this act and the income therefrom shall at all times be free from taxation for State or local purposes under any law of this Commonwealth

Neither the members of an Authority nor any person executing the bonds shall be liable personally on any such bonds by reason of the issuance thereof Such bonds or other obligations of an Authority shall not be a debt of any municipality or of the Commonwealth and shall so state on their face nor shall any municipality or the Commonwealth nor any revenues or any property of any municipality or of the Commonwealth be liable therefor

Section 15 Form and Sale of Bonds The bonds of an Authority shall be authorized by its resolution shall be issued in one or more series and shall bear such date mature at such time and bear interest at such rate not exceeding six per centum (6%) per annum payable semi-annually be in such dominations be in such form either coupon or registered executed in such manner be payable in such medium of payment at such place and be subject to such terms of redemption and carry such registration privileges as may be provided in such resolution or in any trust indenture or mortgage properly made in pursuance thereof

Before any bonds may be sold in pursuance of any resolution of any Authority the chairman or secretary of such Authority shall certify to the Department of Internal Affairs a complete and accurate copy of the proceedings had for the issuance of the bonds which are to be sold in the manner now or hereafter provided for the certification to said department of the proceedings relating to the issuance of bonds of the municipalities of this Commonwealth Upon receiving such certificate of approval of the proceedings from the Department of Internal Affairs the Authority may proceed with the sale of the bonds in compliance with the provisions of section two hundred twelve of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (Pamphlet Laws page one hundred fifty-nine) as amended

The bonds of an Authority may be sold at not less than par and accrued interest In case any of the officers of an Authority whose signatures appear on any bonds or coupons shall cease to be officers before the delivery of such bonds their signatures shall nevertheless be valid and sufficient for all purposes the same as if such officers had remained in office until such delivery

The Authority shall have the power out of any funds available therefor to purchase any bonds issued by it at a price not more than the par value thereof plus accrued interest All bonds so purchased shall be cancelled This paragraph shall not apply to the redemption of bonds

Any bond reciting in substance that it has been issued by an Authority to accomplish the public purposes of this act shall be conclusively deemed in any suit action or proceeding involving the validity or enforceability of such bond or security therefor to have been issued for such purpose

Section 16 Provisions of Bonds Trust Indentures and Mortgages In connection with the issuance of bonds or the incurring of obligations under leases and in order to secure the payment of such bonds or obligations an Au-

thority in addition to its other powers shall have power

(a) To pledge all or any part of its gross or net revenues to which its right then exists or may thereafter come into existence

(b) To mortgage all or any part of its real or personal property then owned or thereafter acquired

(c) To covenant against pledging all or any part of its revenues or against mortgages all or any part of its real or personal property to which its right or title exists or may thereafter come into existence or against permitting or suffering any lien on such revenues or property to covenant with respect to limitations on its right to sell lease or otherwise dispose of any of its real property and to covenant as to what other or additional debts or obligations may be incurred by it

(d) To covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise and as to the use and disposition of the proceeds thereof to provide for the replacement of lost destroyed or mutilated bonds to covenant against extending the time for the payment of its bonds or interest thereon and to redeem the bonds and to covenant for their redemption and to provide the terms and conditions thereof

(e) To covenant subject to the limitations contained in this act as to the amount of revenues to be raised each year or other period of time as well as to the use and disposition to be made thereof to create or to authorize the creation of special funds for debt service or other purposes and to covenant as to the use and disposition of the moneys held in such funds

(f) To prescribe the procedure if any by which the terms of any contract with bondholders may be amended or abrogated the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given

(g) To covenant as to the use of any or all of its real or personal property to warrant its title and to covenant as to the maintenance of its real and personal property the replacement thereof the insurance to be carried thereon and the use and disposition of insurance moneys

(h) To covenant as to the rights liabilities powers and duties arising upon the breach by it of any covenant condition or obligation and to covenant and prescribe in the event of default as to terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived

(i) To vest in a trustee or the holders of bonds or any proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds to vest in a trustee the right in the event of a default by the Authority to take possession and use operate and manage any real property and to collect the rents and revenues arising therefrom and to dispose of such moneys in accordance with the agreement of the Authority with said trustee to provide for the powers and duties of a trustee and to limit liabilities thereof and to provide the terms and conditions upon which the trustee or the holders of bonds or any proportion of them may enforce any covenant or rights securing or relating to the bonds

(j) To exercise all or any part or combination of the powers herein granted to make covenants other than and in addition to the covenants herein expressly authorized to make such covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds or in the absolute discretion of the Authority as will tend to accomplish the purposes of this act by making the bonds more marketable notwithstanding that such covenants acts or things may not be enumerated herein

Section 17 Remedies of an Obligee of Authority An obligee of an Authority shall have the right in addition to all other rights which may be conferred on such obligee subject only to any contractual restrictions binding upon such obligee

(a) By mandamus suit action or proceeding at law or in equity to compel the Authority and the members officers agents or employees thereof to perform each and every term provision and covenant contained in any contract of the Authority with or for the benefit of such obligee and to require the carrying out of any or all such covenants and agreements of the Authority and the fulfillment of all duties imposed upon the Authority by this act

(b) By proceeding in equity to obtain an injunction against any acts or things which may be unlawful or the violation of any of the rights of such obligee of the Authority

Section 18 Additional Remedies Conferrable by Authority An Authority shall have power by its resolution trust indenture mortgage lease or other contract to confer upon any obligee holding or representing a specified percentage in bonds or holding a lease the right in addition to all rights that may otherwise be conferred upon the happening of an event of default as defined in such resolution or instrument by suit action or proceeding in any court of competent jurisdiction

(a) To obtain the appointment of a receiver of any real property of the Authority and of the rents and profits therefrom If such receiver be appointed he may enter and take possession of such real property operate the same and collect and receive all revenues or other income thereafter arising therefrom and shall keep such moneys in a separate account and apply the same in accordance with the obligations of the Authority as the court shall direct

(b) To require the Authority and the members thereof to account as if it and they were the trustees of an express trust

Section 19 Aid from Federal Government In addition to the powers conferred upon an Authority by other provisions of this act an Authority is empowered to borrow money or accept grants or other financial assistance from the Federal Government for or in aid of any of its operations It is the purpose and intent of this act to authorize every Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in any of its operations

Section 20 Records and Reports

(a) The books and records of an Authority shall at all times be open and subject to inspection by the State Board of Housing

(b) An Authority may file with the State Planning Board and the State Board of Housing such information and reports as it may from time to time deem desirable and shall file with them

(1) A copy of all by-laws and rules and regulations and amendments thereto adopted by it from time to time

(2) At least once each year a report of its activities for the preceding year and such other reports as said boards may require Copies of such reports shall be filed with the mayor and governing body of the city or with the county board of commissioners as the case may be

Section 21 Duration of Authority Any Authority created under the provisions of this act shall carry on its corporate functions until such time as the Governor by proclamation declares the housing emergency to be at an end Thereafter no Authority shall have power to acquire any additional real property and shall proceed to dispose of all real and personal property owned by it

Section 22 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hooker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Ushur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 335, as follows:

An Act to further amend section one of the act approved the eighth day of April one thousand eight hundred sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" prohibiting the imposition of taxes on such licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of April one thousand eight hundred sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" as last amended by the act approved the second day of

June one thousand nine hundred thirty-seven (P. L. 1191) is hereby further amended to read as follows

Section 1 Be it enacted etc That every honorably discharged soldier sailor and marine of the military or naval service of the United States who is a resident of this State and who is unable to procure a livelihood by manual labor shall have the right to hawk peddle and vend any goods wares or merchandise or solicit trade within this Commonwealth by procuring a license for that purpose to be issued without cost and upon which no tax or levy in the nature of a tax may be imposed Provided That before any such soldier sailor or marine shall be entitled to the benefits of this act shall present his certificate of pension or satisfactory proof that he receives compensation from the Federal Government which shall be evidence of his disability if no pensioner nor a receiver of compensation he shall present a certificate from two reputable physicians that he is unable to procure his living by manual labor He shall also procure a certificate from the prothonotary of any county in this State that he has filed in the office of said prothonotary his affidavit setting forth that he is the bona fide owner in his own right of all the goods wares and merchandise which he proposes to hawk peddle and vend and that he will not engage to sell the same for any other person or persons whatever and that he will not sell or attempt to sell the labeled artificial flowers of the American Legion Veterans of Foreign Wars Spanish American War Veterans and Disabled American Veterans of the World War namely the poppy carnation the buddy poppy and the forget-me-not and that he will not sell or offer to sell miniature American flags And provided further That the aforesaid certificate or proof of compensation together with such person's discharge from the military or naval service or an exemplified copy thereof shall be full and conclusive evidence of such person's rights to the benefits of this act The prothonotary issuing such certificate shall require the applicant to furnish two photographs of the applicant each bearing the signature of the applicant One photograph shall be filed with the application the other shall be attached to the certificate when issued

The use of such certificate by anyone other than the applicant shall nullify such certificate and shall nullify the privileges under this act of the applicant permitting such measure

Any person who shall peddle contrary to the provisions of this act or in violation of the affidavit which he made to obtain such license shall upon conviction in a summary proceeding be sentenced to pay a fine of not more than fifty dollars (\$50) and in default of the payment of such fine and costs shall be sentenced to imprisonment for a term of ten (10) days

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, are we now on House Bill 335?

The SPEAKER. That is correct.

Mr. ANDREWS. Printer's No. 251?

The SPEAKER. That is correct.

Mr. ANDREWS. Mr. Speaker, I presume, if it is necessary for disabled veterans to peddle, that we should not burden them with a license, but I certainly am of the opinion that this Commonwealth should make some other provision for veterans than a gesture which gives them a license to sell apples and does not charge them for the license. I think this bill is a recognition of a condition and condones a condition that should not exist in this Commonwealth. It is the kind of a measure in my mind that has no place in the deliberations of a

General Assembly, which is presumably doing something worth while for the veterans. We have decided ultimately to give them a bonus, and the first thing that we hand out to the veterans, in addition to a future bonus, is a license to peddle, if he is disabled, and not pay a license fee for it. I am opposed to this kind of legislation and I shall vote "no," not because I feel that we should charge the veterans for a license to peddle, but because I believe that he should not be placed in a position where it is necessary for a disabled veteran to peddle.

Mr. GREER. Mr. Speaker, in answer to the gentleman from Cambria, Mr. Andrews, I would like to say that this act has been on our statute books since 1867. It is being amended by this bill to provide that there will be no tax, or levy in the nature of a tax on that license. It is a bill which was presented to me by the American Legion. It is a bill that all veterans' Posts want, and I urge the Members to vote for this bill.

Mr. ANDREWS. Mr. Speaker, I already recognize that this kind of legislation has been on the statute books for a long, long, time. There was a time when we made very little provision for veterans, disabled or otherwise, and if we want to do something, instead of amending this kind of legislation, there are plenty of other things that we could do that are really worth while for the veterans of Pennsylvania. However, Mr. Speaker, if that constitutes a part of the program for veterans, if that constitutes a part of the gentleman's program, it does not necessarily constitute a part of my program.

Mr. GREER. Mr. Speaker, what it amounts to is an exemption from taxation.

Mr. COLE. Mr. Speaker, I desire to interrogate the gentleman from Butler, Mr. Greer.

The SPEAKER. Will the gentleman from Butler permit himself to be interrogated?

Mr. GREER. I shall, Mr. Speaker.

Mr. COLE. Mr. Speaker, the question I would like to ask the gentleman is, if this bill does not pass and the veteran has to go out and sell apples or sell shoe-strings for a living, would he then be required to pay a state tax?

Mr. GREER. He would, Mr. Speaker.

Mr. COLE. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Aaronson,	Goff,	McDonald,	Scanlon,
Bane,	Goodling,	McKinney,	Schuster,
Barrett,	Gorman,	McMillen,	Scott,
Baumunk,	Graybill,	Mihm,	Serrill,
Beech,	Greenwood,	Mikula,	Shoemaker,
Bender,	Greer,	Miller,	Simons,
Bentzel,	Griffiths,	Mills,	Smith, C. C.,
Bloom,	Guthrie,	Mintess,	Smith, C. M.,
Boles,	Gyger,	Mohr,	Snider,
Bonawitz,	Hall,	Mooney,	Sollenberger,
Boorse,	Haller,	Moore, C. E.,	Sorg,
Bower,	Haudenschild,	Moore, H. A.,	Sproul,
Brelschi,	Helm,	Morrison,	Stank,
Brice,	Henry,	Murray,	Stimmel,
Brunner,	Hewitt,	Myers,	Stockham,
Euechia,	Hocker,	Najaka,	Stonier,
Cadwalader,	Hoffman,	Naumann,	Stuart,
Cassidy,	Hoopes,	Needham,	Swane,

Chervenak,	Horan,	Neff,	Tahl,
Cochran,	Imbt,	Nelson,	Thomassy,
Cole,	Jennings,	O'Connor,	Thompson,
Cook,	Johnson,	O'Dare,	Tittle,
Cooper,	Johnston,	O'Donnell,	Tompkins,
Cordier,	Jones,	O'Neill,	Toomey,
Costa,	Jump,	Orban,	Turner,
Crowley,	Kean,	Patten,	Upshur,
Dague,	Kelley,	Petrosky,	Vaughan,
Dalrymple,	Kemp,	Pichney,	Verona,
Davison,	Kent,	Pickens,	Wachhaus,
De Long,	Kirley,	Polaski,	Wagner,
Demech,	Kline,	Powers,	Waldron,
Dennison,	Kohl,	Price,	Wallin,
Depuy,	Kratz,	Probert,	Walton,
Dix,	Krise,	Ragot,	Waterhouse,
Dye,	Kurtz,	Readinger,	Watkins,
Efenberg,	Laughner,	Reagan,	Watson,
Elder,	Layel,	Reese, D. P.,	Weidner,
Erb,	Lee,	Reese, R. E.,	Weiss,
Evans,	Lelsey,	Reilly, J. M.,	Wescott,
Ewing,	Livingston,	Reilly, T. J.,	West,
Feola,	Livingstone,	Richter,	Wheeler,
Fish,	Loftus,	Riley,	Wolf,
Fiss,	Lovett,	Robbins,	Wood,
Flack,	Lyons,	Robertson,	Worley,
Fleming,	Madden,	Root,	Yeakel,
Foor,	Madigan,	Rose,	Yester,
Frost,	Mazza,	Rowen,	Yetzer,
Gallagher,	McCormack,	Royer,	Young,
Getchey,	McCosker,	Sarra,	Lichtenwalter,
Gibson,	McCullough,	Sax,	Speaker

NAYS—3

Andrews, Brown, Capano,

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(Following the Calling of the Roll on House Bill 335 and before the result was announced)

Mr. VERONA. Mr. Speaker, may I inquire how is the gentleman from Philadelphia, Mr. Chudoff, recorded?

The SPEAKER. The gentleman is recorded as voting aye.

Mr. VERONA. Was the gentleman in the hall of the House? Is he in Harrisburg?

The SPEAKER. The chair can only refer to the roll call.

Mr. VERONA. Is he in the hall of the House, Mr. Speaker?

The SPEAKER. The Chair cannot answer the gentleman.

Mr. VERONA. Is he recorded as voting "aye?"

The SPEAKER. The gentleman is recorded as voting "aye."

Mr. VERONA. Lets stick him, Mr. Speaker, take him off the record. He is not here.

The SPEAKER. The gentleman from Allegheny requests the name of Mr. Chudoff be stricken from the roll. Without objection the name of the gentleman from Philadelphia will be stricken from the roll. The Chair hears no objection.

The SPEAKER. If there is no objection, the Chair will return to House Bill No. 22 Printer's No. 725, on page 20 of today's calendar. The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 22, as follows:

An Act authorizing and directing the Legislative Reference Bureau to compile edit and publish a revised compilation of laws relating to war veterans and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Legislative Reference Bureau is hereby authorized and its duty shall be to compile edit and publish a revised pamphlet containing a compilation of the laws of Pennsylvania relating to war veterans A copy of said pamphlet shall be made available to each post camp or chapter in this Commonwealth of the Veterans of Foreign Wars of the United States the American Legion the United States Spanish War Veterans the Grand Army of the Republic the Disabled Veterans of the World War and the American Veterans of World War II (AMVETS) and the Marine Corps League

Said pamphlet shall be completed and available for distribution on or before the first day of March one thousand nine hundred and forty-eight

Section 2 The sum of two thousand dollars (\$2000) or so much thereof as may be necessary is hereby specifically appropriated to the Legislative Reference Bureau to pay the compensation of assistants and all costs and expenses incurred by the bureau in carrying out the provisions of

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buccin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,

Erb,
Evans,
Ewing,
Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Foor,
Lee,
Leisey,
Livingston,
Livingstone,
Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Reilly, J. M.,
Reilly, W. J.,
Richter,
Riley,
Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

West,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—3

Chudoff,

Clevenger,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 472, as follows:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 202) and by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) respectively are hereby further amended to read as follows

Section. 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis

by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contribute to the State Employees' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State Employee" shall not include those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employee because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employee" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session

Employes of the respective institutions acquired by the Commonwealth from counties cities wards boroughs townships institution districts and other political subdivisions that are actually used as State mental hospitals under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L.

53) or its amendments who as of the effective date of this act are contributors or who on or before the thirtieth day of June one thousand nine hundred forty-seven becomes contributors to this fund shall for the purposes of this act be deemed to have been "State employes" from the time they first entered the employe of such institution even though the same may have been prior to the acquisition of the institution by the Commonwealth if such employe shall pay to the retirement association a sum equal to all the back payments which such employe would have made had he or she become a member of the retirement association at the time he or she was first employed by such institution Such back payments may be spread over a period of years by having the regular payroll deduction of such employe increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted If not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

In all cases of doubt the retirement board shall determine whether any person is a State employee as defined in this paragraph and its decision shall be final

* * * * *

9 "Original member" of the retirement association shall mean a State employee who was at any time a State employee prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or any State employee who is an employee of any of the respective institutions acquired by the Commonwealth from any county city ward borough township institution district or other political subdivision for actual use as a State mental hospital under the provisions of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) or its amendments who was at any time an employee of such institution prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-seven

Any such State employee who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the

reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Section 2 The sum of two hundred fifty thousand dollars (\$250,000) is hereby specifically appropriated to the State Employees' Retirement Board to be credited to the contingent reserve account of the State Employees' Retirement Fund to be applied towards the payment of the additional state annuities provided for by this act

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Laughner,	Reese, D. P.,	Welss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Flsh,	Loftus,	Robbins,	Worley,
Flss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 719, as follows:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) or as much thereof as may be necessary is hereby appropriated to the Department of Public Instruction for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven to be used by the Department of Public Instruction for the purpose of employing qualified supervisors and clerical assistants pro-services as may be necessary in assisting the department vide necessary travel and maintenance and legal or other in formulating rules and regulations in conducting inspections processing reports establishing codes handling correspondence and such additional matters as may be necessary in connection with the licensing and regulation of private business schools and classes as defined by law

And said bill having read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,

Demech,	Kline,	Price,	Walton.
Dennison,	Kohl,	Probert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weldner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss.
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 782, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies is hereby authorized to acquire by purchase or gift on behalf of the Commonwealth approximately five (5) acres of land at and surrounding the surrounding the recognized site of William Penn's first landing in Pennsylvania at Front and Penn Streets in the city of Chester Delaware County The exact amount and location of the land to be acquired shall be determined by the Pennsylvania Historical and Museum Commission.

Section 2 The Pennsylvania Historical and Museum Commission after said property has been acquired shall clear said property of all buildings structures and waste materials and shall grade and improve the same and shall provide for the maintenance of a suitable park providing a setting for this historical shrine.

The Pennsylvania Historical and Museum Commission after said property has been acquired shall make and enforce the rules and regulations for the preservation visitation and maintenance thereof

Section 3 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby appropriated to the department of Property and Supplies for the acquisition of the site referred to in the first section of this act and for the clearing grading and improvement of said land

The sum of five thousand dollars (\$5000) or as much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical and Museum Commission for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of maintenance of such site

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax.
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Soilenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kiline,	Price,	Walton,
Dennison,	Kohl,	Probert,	Waterhouse,
Depuy,	Krise,	Ragot,	Watkins,
Dix,	Kratz,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weldner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 640 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 982, as follows:

An Act to amend section one of the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51) entitled "An act defining and regulating the practice of Chiropody and providing penalties" by further defining chiropody

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51) entitled "An act defining and regulating the practice of Chiropody and providing penalties" is hereby amended to read as follows

Section 1 Chiropody or Podiatry as used in this act is the surgical treatment of abnormal nails all superficial excrescences occurring on the hands and feet such as corns warts callosities and the treatment of fissures blisters and bunions but it shall not confer the right to operate upon the hands or feet for congenital or acquired deformities nor for conditions requiring the use of anaesthetics other than local nor incisions involving structures below the level of the true skin the padding dressing and strapping of the feet the making of models of the feet and palliative and mechanical treatment of functional disturbances of the feet

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,
Andrews,
Bane,
Baumunk,
Barrett,
Beech,
Bender,
Bentzel,
Bloom,
Boles,
Bonawitz,
Boorse,
Bower,
Breisch,
Brice,
Brown,
Brunner,
Bucchin,
Cadwalader,
Capano,
Cassidy,
Chervenak,
Cochran,
Cole,
Cook,
Cooper,
Cordier,
Costa,
Crowley,
Dague,
Dalrymple,
Davison,
De Long,
Demech,
Dennison,
Depuy,
Dix,
Dye,
Efenberg,
Elder,
Erb,
Evans,
Ewing,
Feola,

Gallagher,
Getchey,
Gibson,
Goff,
Goodling,
Gorman,
Graybill,
Greenwood,
Greer,
Griffiths,
Guthrie,
Gyger,
Hall,
Haller,
Haudenschild,
Helm,
Henry,
Hewitt,
Hocker,
Hoffman,
Hoopes,
Horan,
Imbt,
Jennings,
Jones,
Johnson,
Johnston,
Jump,
Kean,
Kelley,
Kemp,
Kent,
Kirley,
Kilne,
Kohl,
Kratz,
Krise,
Kurtz,
Laughner,
Layer,
Lee,
Leisey,
Livingston,
Livingstone,

McCosker,
McCullough,
McDonald,
McKinney,
McMillen,
Mihm,
Mikula,
Miller,
Mills,
Mintess,
Mohr,
Mooney,
Moore, C. E.,
Moore, H. A.,
Morrison,
Murray,
Myers,
Najaka,
Naumann,
Needham,
Nelson,
Neff,
O'Connor,
O'Dare,
O'Donnell,
O'Neill,
Orban,
Patten,
Petrosky,
Pickens,
Pichney,
Polaski,
Powers,
Price,
Propert,
Ragot,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Relly, J. M.,
Relly, W. J.,
Richter,
Riley,

Sax,
Scanlon,
Schuster,
Scott,
Serrill,
Shoemaker,
Simons,
Smith, G. C.,
Smith, C. M.,
Snider,
Sollenberger,
Sorg,
Sproul,
Stank,
Stimmel,
Stockham,
Stonier,
Stuart,
Swope,
Tahl,
Thomassy,
Thompson,
Tittle,
Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Wallin,
Watkins,
Walton,
Waterhouse,
Watson,
Weldner,
Weiss,
West,
Wescott,
Wieeler,
Wolf,
Wood,

Fish,
Fliss,
Flack,
Fleming,
Foor,
Frost,

Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—3

Chudoff,

Clevenger,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1188, as follows:

A Joint Resolution proposing an amendment to article nine section eight of the Constitution of the Commonwealth of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine section eight of the Constitution of Pennsylvania is hereby amended to read as follows

Section 8 The debt of any county city borough township school district or other municipality or incorporated district except as provided herein and in section fifteen of this article shall never exceed seven (7) per centum upon the assessed value of the taxable property therein nor shall any such county municipality or district incur any debt or increase its indebtedness to an amount exceeding two (2) per centum upon such assessed valuation of property without the consent of the electors thereof at a public election in such manner as shall be provided by law The debt of the city of Philadelphia may be increased in such amount that the total debt of said city shall not exceed twelve and one-half (12½) per centum of the average of the annual assessed valuations of the taxable realty therein during the ten years immediately preceding the year in which such increase is made but said city shall not increase its indebtedness to an amount exceeding two and one-half (2½) per centum upon such average assessed valuation of realty without the consent of the electors thereof at a public election in such manner as shall be provided by law No debt shall be incurred by or on behalf of the county of Philadelphia and within such county only the city of Philadelphia and the school district of Philadelphia shall have power to incur debt

In ascertaining the debt-incurring capacity of the city of Philadelphia at any time there shall be deducted from the debt of said city so much of such debt as shall have been incurred or is about to be incurred and the proceeds thereof expended or about to be expended upon any public improvement or in the construction purchase or condemnation of any public utility or part thereof or facility therefor if such public improvement or public utility or part thereof or facility therefor whether separately or in connection with any other public improvement or public utility or part thereof or facility therefor may reasonably be expected to yield revenue in excess of operating expenses sufficient to pay the interest and sinking fund charges thereon The method of determining such amount so to be deducted shall be as now prescribed or which may hereafter be prescribed by the General Assembly

In incurring indebtedness for any purpose the city of Philadelphia may issue its obligations maturing not later

than fifty (50) years from the date thereof with provision for a sinking fund sufficient to retire said obligations at maturity the payment of such sinking fund to be in equal or graded annual or other periodical installments. Where any indebtedness shall be or shall have been incurred by said city of Philadelphia for the purpose of the construction or improvement of public works or utilities of any character from which income or revenue is to be derived by said city or for the reclamation of land to be used in the construction of wharves or docks owned or to be owned by said city such obligations may be in an amount sufficient to provide for and may include the amount of the interest and sinking fund charges accruing and which may accrue thereon throughout the period of construction and until the expiration of one year after the completion of the work for which said indebtedness shall have been incurred and said city shall not be required to levy a tax to pay said interest and sinking fund charges as required by section ten of this article until the expiration of said period of one year after the completion of said work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopas,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weldner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarraf,	Speaker.

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1318 as follows:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of forty-five million dollars (\$45,000,000) is hereby appropriated from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for completion of projects for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, is this House Bill No. 1318?

The SPEAKER. This is House Bill No. 1318, Printer's No. 614.

Mr. ANDREWS. When this bill was on second reading, Mr. Speaker, I said that I would like to have the responsible spokesman for the administration tell us first what they proposed to obtain or do by spending the forty-five million and how much of the forty-five million they intend to spend during the next biennium.

Mr. SPROUL. Mr. Speaker, I presume the gentleman from Cambria desires to interrogate me as the sponsor, in regard to this bill and ask how much would be spent in the next biennium. I believe that would be entirely

regulated by the cost of the materials and the requirements of the different institutions. I presume the gentleman knows that there are some twenty-four institutions of which twenty are mental, which require repairs in addition to buildings, replacements on account of obsolescence, and the Department of Welfare intends to make a survey. I cannot give the gentleman the details of how much of this money will be spent within the next few months or the next couple of years. I think, however, the Department will be glad to furnish the gentleman when such a survey has been made with information as to what they intend to do exactly with the money. The bonds will not be sold until such time as repairs are deemed advisable or new buildings are deemed advisable, on account of the construction costs which have risen from 42 to 70 per cent.

Mr. ANDREWS. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. SORG. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, I would like to ask the Majority Leader whether there has been presented to him or to any committee of this House a detailed statement outlining the major allocations that will be made of the forty-five million which it is proposed to spend.

Mr. SORG. Mr. Speaker, there has not been conveyed to me any detailed statement. I could refer the gentleman only to the statement concerning the need for public improvements in our welfare institutions, as set forth in the budget message of His Excellency, The Governor.

Mr. ANDREWS. I thank the gentleman.

Mr. Speaker, the Members of this House will recognize the difficulties that anyone would encounter who voted against the proposed appropriation, and yet here we are presumably in a deliberative body and we are asked for forty-five million dollars, a blank check.

There are no schedules of expenditures called to the attention of the Members of this House. There are no detailed schedules contemplating the expenditures on file with a committee. Now, is all we are going to do issue blank checks? We abdicate all our legislative functions. It is all very well for the administration or for a department to come and say, "We want forty-five million dollars and we want it during the next two years," but someone somewhere, and I know of no other agency other than this House, that should say to that administration or to that department, "What do you want the forty-five million dollars for and when are you planning to spend it?"

For a considerable number of years the General Assembly has fallen into the habit of doling out blank checks without any restriction, sixty million dollars for this department, forty-five million dollars for something else, ten million dollars for something else. It is not a proper way to do business, and neither the administration nor the department should ask this House for forty-five million dollars without at least taking us into their confidence to some extent and telling us what they want it for and when they propose to spend it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Myers,	Swope,
Bucchin,	Hewitt,	Najaka,	Stockham,
Cadwalader,	Hocker,	Naumann,	Stonier,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Probert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly J. M.,	West,
Evans,	Lelsey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 152, as follows:

An Act to reenact clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulations of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the

exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby reenacted to read as follows

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by per-

sons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1181) and the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby reenacted to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carrier or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchases directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

(7) "Contract Carrier by Motor Vehicle" means any

person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a non-profit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish, excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and any and all facilities used furnished or supplied by public utilities or contract carriers by motor vehicle in the performance of their duties under this act to their patrons employes other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or in the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for a period of two years from the date of such final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goß,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Layer,	Reese, D. P.,	Weiss,
Elder,	Lee,	Reese, R. E.,	Wescott,
Erb,	Leisey,	Reilly, J. M.,	West,
Evans,	Livingston,	Relly, W. J.,	Wheeler,
Ewing,	Livingstone,	Richter,	Wolf,
Feola,	Loftus,	Riley,	Wood,
Fish,	Lovett,	Robbins,	Worley,
Fiss,	Lyons,	Robertson,	Yeakel,
Flack,	Madden,	Root,	Yester,
Fleming,	Madigan,	Rowen,	Yetzer,
Foor,	Mazza,	Royer,	Young,
Frost,	McCormack,	Sarraf,	Lichtenwalter,

NAYS—2

Laughner, Rose,

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 246, as follows:

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employes under any stock bonus pension disability or death benefit profit-sharing or other employee-benefit plan and the application with

respect thereto of any statute or rule of law against perpetuities accumulations or the suspension of the power of alienation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any trust created prior to the first day of January one thousand nine hundred forty-eight primarily for the benefit of employes their families or appointees under any stock bonus pension disability death benefit profit-sharing or other employe-benefit plan to which contributions are made by the employer or employes or both for the purpose of distributing to or for the benefit of the employes their families or appointees the earnings or the principal or both earnings and principal of the fund held in trust may continue in perpetuity or for such time as may be necessary to accomplish the purpose for which it was created and shall not be invalid as violating any statute or rule of law against perpetuities or against accumulations or concerning the suspension of the power of alienation of the title to property

Section 2 No statute or rule of law against perpetuities or against accumulations or concerning the suspension of power of alienation of the title to property shall operate to invalidate in whole or in part any trust created or attempted to be created prior to the effective date of this act primarily for the benefit of employes their families or appointees under any stock bonus pension disability death benefit profit-sharing or other employe-benefit plan for the purpose of distributing to or for the benefit of such employes their families or appointees the earnings or the principal or both earnings and principal of the fund held in trust unless such trust is finally adjudicated to be invalid by a court of competent jurisdiction in a suit instituted within two years after the effective date of this act

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Bleech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsche,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,

Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Wickner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robb's,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 334, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities authorizing Authorities to charge the cost of construction lateral sewers against properties benefited improved or accommodated thereby making such charges liens providing for the enforcement thereof and authorizing Authorities to charge tapping fees for sewer connections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two clause (c) of subsection B of section three subsections A and B of section four clause (a) of subsection A and subsection C of section seven subsection A of section nine sections eleven fourteen and eighteen of the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" are hereby amended to read as follows

Section 2 Definitions The following terms whenever used or referred to in this act shall have the following meanings except in those instances where the context clearly indicates otherwise

(a) The term "Authority" shall mean a body politic and corporate created pursuant to this act or pursuant to the "Municipality Authorities Act of 1935" repealed hereby

(b) The term "board" shall mean the governing body of an Authority

(c) The term "bonds" shall mean and include the notes bonds and other evidence of indebtedness or obligations which each Authority is authorized to issue pursuant to section 4 (i) of this act

(d) The term "Municipal Authority" shall mean the body or board authorized by law to enact ordinances or adopt resolutions for the particular municipality

(e) The term "construction" shall mean and include acquisition and construction and the term "to construct" shall mean and include to acquire and to construct all in such manner as may be deemed desirable

(f) The term "municipality" shall mean any county city town borough or township of the Commonwealth of Pennsylvania

(g) The term "federal agency" shall mean and include the United States of America the president of the United States of America and any department of or corporation agency or instrumentality heretofore or hereafter created designated or established by the United States of America

(h) The term "improvement" shall mean and include extension enlargement and improvement and the term "to improve" shall mean and include to extend to enlarge and to improve all in such manner as may be deemed desirable

(i) The term "persons" shall mean and include natural persons

(j) The term "project" shall mean any structure facility or undertaking which an authority is authorized to acquire construct improve maintain or operate under the provisions of this act

Section 3 Method of Incorporation

* * * * *

B On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

* * * * *

(c) A statement [that no other Authority] whether any other Authority has been organized under this act or under the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) and is in existence in or for the incorporating municipality or municipalities except that where any one or more of the municipalities have already joined with other municipalities not composing the same group in organizing a joint Authority the application shall set forth the name of the Authority theretofore created together with the names of the municipalities joining therein

Section 4 Purposes and Powers General A Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee projects of the following kind and character buildings to be devoted wholly or partially for public uses including public school buildings and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels [street] flood control projects highways parkways traffic distribution centers [traffic circles] parking spaces airports and all facilities necessary or incident thereto parks recreation grounds and facilities sewers sewer systems or parts thereof sewage treatment works including works for treating and disposing of industrial waste steam heating plants and distribution system incinerator plants waterworks water supply works water distribution system swimming pools playgrounds lakes low head dams hospitals motor buses for

public use when such motor buses are to be used within any municipality and subways The purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes The municipality or municipalities organizing such an Authority may in the resolution or ordinance signifying their intention so to do or from time to time by subsequent resolution or ordinance specify the project or projects to be undertaken by the said Authority and no other projects shall be undertaken by the said Authority than those so specified If the municipal authorities organizing an Authority fail to specify the project or projects to be undertaken then the Authority shall be deemed to have all the powers granted by this act

B Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of fifty years as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges in the area served by its facilities at reasonable and uniform rates to be determined exclusively by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations or with the municipality incorporating or municipalities which are members of said Authority or with any municipality served or to be served by said authority and to determine by itself exclusively the services and improvements in the areas served Provided That if the service area includes more than one municipality the revenues from any project shall not be expended directly or indirectly on any other project unless such expenditures are made for the benefit of the entire service area Any person questioning the reasonableness or uniformity of any rate fixed by any Authority may bring suit against the Authority in the court of common pleas of the county wherein the project is located or if the project is located in more than one county then in the court of common pleas of the county wherein the principal office of the project is located The court of common pleas shall have exclusive jurisdiction to determine the reasonableness and uniformity of rates and other charges fixed altered charged or collected by an Authority Appeals may be taken to the Superior Court within thirty days after the court of common pleas has rendered a final decision

(i) To borrow money make and issue negotiable notes bonds refunding bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue except that no refund-

ing bonds shall have a maturity date later than the life of the Authority and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any Authority or any public Authority of any adjoining state to borrow money and issue such notes bonds and others evidences of indebtedness and obligations jointly with any such Authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency Commonwealth of Pennsylvania municipality school district corporation or Authority

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient for the promotion of its business and the general welfare of the Authority to carry out the powers granted to it by this act or any other acts

(o) To contract with any municipality corporation or any public Authority of this or any adjoining state on such terms as the said Authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

(p) To enter into contract [with] to supply water and other services to and for municipalities that are not members of the Authority or [with] to and for the Commonwealth of Pennsylvania municipalities [corporations or authorities for the use of any project of the Authority and fixing] school districts persons or authorities and fix the amount to be paid therefor

(q) To enter into contracts of group insurance for the benefit of its employees and to set up a retirement or pension fund for such employees [similar to that existing in the municipality where the principal office of the project is located]

(r) To charge the cost of construction of any lateral sewer constructed by the Authority against the properties benefited improved or accommodated thereby to the extent of such benefits Such benefits shall be assessed in the manner provided by section eleven of this act for the exercise of the right of eminent domain

(s) To charge the cost of construction of any lateral sewer constructed by the Authority against the properties benefited improved or accommodated thereby according to the foot front rule Such charges shall be based upon the foot frontage of the properties so benefited and shall be a lien against such properties Such charges may be assessed and collected and such liens may be enforced in the manner provided by law for the assessment and collection of charges and the enforcement of liens of the municipality in which such Authority is located Provided That no such charge shall have the force and effect of a lien unless prior to construction of such sewer system the Authority shall have submitted the plan of construction and estimated cost to the municipality in which such project is to be undertaken and the municipal authority shall have approved such plan and estimated cost And provided further That the cost of the construction shall not have exceeded the estimated cost as approved by the municipal authority

(t) To charge a tapping fee whenever the owner of any property connects such property with a sewer system constructed by the Authority which fee shall be in addition to any charges assessed and collected against such property in the construction of such sewer by the Authority or any rental charges assessed by the Authority

Section 7 Governing Body A The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

(a) If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of such municipality The governing body of such municipality shall appoint the members of the board whose terms of office shall commence on the date of appointment and one of whom shall serve for one year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter the said governing body shall at a meeting held not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the members whose term expires on the January first next succeeding

* * * * *

C A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members present unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employees of the Authority and their respective [compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employees such powers and duties as it may deem proper] powers duties and compensation and may appoint to such office or offices any member of the board with such powers duties and compensation as the board may deem proper

Section 9 Transfer of Existing Facilities to Authority A Any municipality school district or owner may and they are hereby authorized to sell lease lend grant or convey to any Authority any project or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project Any municipality or school district is also authorized to transfer assign and set over to any Authority any contracts which may have been awarded by said municipality or school district for the construction of projects not begun or if begun not completed The territory being served by any project or the territory within which such project is authorized to render service at the time of the acquisition of such project by an Authority shall [constitute the area in which such Authority shall be authorized to render service] include the area served by the project and the area in which the project is authorized to serve at the time of acquisition and any other area into which the service may be extended subject to the limitations of subsection A of section four of this act

Section 11 Acquisition of lands water and water rights The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands water and water rights as the Authority may deem necessary for any of the purposes mentioned in this act provided however that water and water rights may not be acquired unless and until approval is obtained from the water and power resources board in accordance with the law in such cases made and provided and provided further that no property [devoted to a public use] owned or used by the United States the Commonwealth of Pennsylvania any political subdivision thereof or any body politic and corporate organized as an "Authority" under any law of the Commonwealth or by any agency of any of them nor any property of a public service company property used for burial purposes places of public worship shall be taken under the

right of eminent domain the right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality by which such Authority was organized

In the case of a joint authority eminent domain shall be exercised by the authority in the same manner as is provided by law for the exercise of such right by municipalities of the same class as the municipality in which the right of eminent domain is to be exercised

The right of eminent domain herein conferred by this section may be exercised either within or without the municipality or municipalities

Section 14 Termination of authority when any authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may (subject to any agreements concerning the operation or disposition of such project) convey such project to the municipality or municipalities creating the authority or where the project is a public school building to the school district in which it is located When any authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the municipality or municipalities [and] or where any of such property is a public school building then to the school district in which it is located and may then terminate its existence A certificate requesting the termination of the existence of the authority shall be filed in the office of the secretary of the Commonwealth If the certificate is approved by the municipality or municipalities creating the authority by its ordinance or ordinances the said secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the Recorder of Deeds of the county thereupon the property of said authority shall pass to the municipality or municipalities or the school district or districts as the case may be and the authority shall cease to exist

Section 18 Conveyance by authorities to municipalities or school districts of established projects (a) If a project shall have been established under this act by a board appointed by a municipality or municipalities which project is of a character which the municipality or municipalities have power to establish maintain or operate and such municipality or municipalities desire to acquire the same it or they may by appropriate resolution or ordinance adopted by the proper [authorities] authorities signify its or their desire to do so and thereupon the authorities shall convey by appropriate instrument said project to such municipality or municipalities upon the assumption by the latter of all the obligations incurred by the authorities with respect to that project

(b) If a public school building shall have been established as a project under this act and the school district in which it is located desires to acquire the same such school district may by appropriate resolution signify its desire to do so and thereupon the authority shall convey such public school building to such school district by appropriate instrument upon the assumption by the latter of all the obligations incurred by the authority with respect to that project

(c) Whenever an authority has heretofore been formed by any county for the purpose of acquiring constructing improving maintaining or operating water works water supply works or water distribution systems for the benefit of any one or more but not all of the cities boroughs towns and townships of the county such county authority may with the approval of the board of county commissioners of the county convey any such project to the cities boroughs towns or townships or any of them for the benefit of which the project was acquired constructed improved maintained or operated or to any authority or authorities organized by such cities boroughs towns or townships or any of them for the purpose of taking over

such project All such conveyances shall be made subject to any and all obligations incurred by such county authority with respect to the project or projects conveyed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Mintess,	Smith, C. C.,
Bloom,	Greer,	Miller,	Smith, C. M.,
Boies,	Griffiths,	Mills,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordler,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter
	McCormack,	Sarra,	

NAYS—0

NOT VOTING—3

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 337, as follows:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 After subsection eighteen of paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estate and of real estate from the lien of legacies and other charges the appraisalment of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and

registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" the following new subsection is hereby added

Subsection (18.1) Obligations of Municipality Authorities Bonds of any municipality authority issued pursuant to the provisions of the laws of this Commonwealth relating to the creation or operation of such municipality authorities if such bonds are not in default and if for the period of five fiscal years next preceding the date of investment the income of such authority available for fixed charges shall have averaged not less than one and one-fifth (1 1/5) times its average annual fixed charges of such bonds over the life of such bonds as used in this subsection the term "income available for fixed charges" shall mean income after deducting operating and maintenance expenses and unless the bonds are payable in serial annual maturities or are supported by annual sinking fund payments depreciation but excluding extraordinary non-recurring items of income or expenses and the term "fixed charges" shall include principal both maturity and sinking fund and interest on bonded debt in computing such income available for fixed charges for the purposes of this section the income so available of any corporation acquired by any municipality authority may be included such income to be calculated as though such corporation had been operated by a municipality authority and an equivalent amount of bonded debt were outstanding

The eligibility for investment purposes of bonds of each project of a municipality authority shall be separately considered hereunder

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Gallagher,	McCosker,	Sproul,
Andrews,	Getchey,	McCullough,	Sax,
Bane,	Gibson,	McDonald,	Scanlon,
Barrett,	Goff,	McKinney,	Schuster,
Baumunk,	Goodling,	McMillen,	Scott,
Beech,	Gorman,	Mihm,	Serrill,
Bender,	Graybill,	Mikula,	Shoemaker,
Bentzel,	Greenwood,	Miller,	Simons,
Bloom,	Greer,	Mills,	Smith, C. C.,
Boies,	Griffiths,	Mintess,	Smith, C. M.,
Bonawitz,	Guthrie,	Mohr,	Snider,
Boorse,	Gyger,	Mooney,	Sollenberger,
Bower,	Hall,	Moore, C. E.,	Sorg,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davidson,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Proper,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,

Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Laver,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—3.

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 338, as follows:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections

and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the powers to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the twenty-seventh day of May one thousand nine hundred forty-three (P. L. 741) is hereby further amended to read as follows

Section 3 Definitions When used in this act * * * * *

(c) The term "employer" includes any person acting directly or indirectly in the interest of an employer but shall not include the United States or the Commonwealth or any political subdivision thereof or any municipal authority or any person subject to the Federal Railway Labor Act or any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198.

Aaronson,	Gibson,	McDonald,	Sax,
Andrews,	Goff,	McKinney,	Scanlon,
Bane,	Goodling,	McMillen,	Schuster,
Baumunk,	Gorman,	Mihm,	Scott,
Beech,	Graybill,	Mikula,	Serrill,
Bender,	Greenwood,	Miller,	Shoemaker,
Bentzel,	Greer,	Mills,	Simons,
Bloom,	Griffiths,	Mintess,	Smith, C. C.,
Boies,	Guthrie,	Mohr,	Smith, C. M.,
Bonawitz,	Gyger,	Mooney,	Snider,
Boorse,	Hall,	Moore, C. E.,	Sollenberger,
Bower,	Haller,	Moore, H. A.,	Sorg,
Breisch,	Haudenschild,	Morrison,	Sproul,
Brice,	Helm,	Murray,	Stank,
Brown,	Henry,	Myers,	Stimmel,
Brunner,	Hewitt,	Najaka,	Stockham,
Buchin,	Hocker,	Naumann,	Stonier,
Cadwalader,	Hoffman,	Needham,	Stuart,
Capano,	Hoopes,	Neff,	Swope,
Cassidy,	Horan,	Nelson,	Tahl,
Chervenak,	Imbt,	O'Connor,	Thomassy,
Cochran,	Jennings,	O'Dare,	Thompson,
Cook,	Johnson,	O'Donnell,	Tittle,
Cooper,	Johnston,	O'Neill,	Tompkins,
Cordier,	Jones,	Orban,	Toomey,
Costa,	Jump,	Patten,	Turner,
Crowley,	Kean,	Petrosky,	Upshur,
Dague,	Kelley,	Pichney,	Vaughan,
Dalrymple,	Kemp,	Pickens,	Verona,
Davison,	Kent,	Polaski,	Wachhaus,
De Long,	Kirley,	Powers,	Wagner,
Demech,	Kline,	Price,	Waldron,
Dennison,	Kohl,	Propert,	Wallin,
Depuy,	Kratz,	Ragot,	Walton,
Dix,	Krise,	Readinger,	Waterhouse,
Dye,	Kurtz,	Reagan,	Watkins,
Efenberg,	Laughner,	Reese, D. P.,	Watson,
Elder,	Laver,	Reese, R. E.,	Weldner,
Erb,	Lee,	Reilly, J. M.,	Weiss,
Evans,	Leisey,	Reilly, W. J.,	Wescott,

Swing,	Livingston,	Richter,	West,
Feola,	Livingstone,	Riley,	Wheeler,
Fish,	Loftus,	Robbins,	Wolf,
Fiss,	Lyons,	Robertson,	Wood,
Flack,	Madden,	Root,	Worley,
Fleming,	Madigan,	Rose,	Yeakel,
Foor,	Mazza,	Rowen,	Yetzer,
Frost,	McCormack,	Royer,	Young,
Gallagher,	McCosker,	Sarra,	Lichtenwalter,
Getchey,	McCullough,		Speaker.

NAYS—4.

Barrett,	Cole,	Lovett,	Yester,
----------	-------	---------	---------

NOT VOTING—3.

Chudoff,	Clevenger,	Trout,
----------	------------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 587, as follows:

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" clarifying the provisions relating to the time for giving change of party enrollment notice

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers

county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as last amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 30 Change of Party Enrollment Notice Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability after Registration to Have Fact Recorded Cancellation

* * * * *

(b) At any time [prior to the thirtieth day next preceding the primary election in the year one thousand nine hundred and forty-one and the fiftieth day] except the fifty days next preceding the primary election [in any subsequent year excepting] and except the thirty days next following an election any person who desires to change his party enrollment or who although registered has not hitherto enrolled as member of a party shall appear at any office of the commission or before the registrars in his ward or district and sign the change of party enrollment notice containing the information required by subsection (a) of this section stating the designation of the political party in which he desires to be enrolled Provided however That no registered elector shall be permitted to change his party enrollment between any primary and the following general or municipal election nor more than once between any November election and the following primary election The commission shall cause the signature thereon to be compared with the signature on the general and district registers and if the signatures appear authentic shall enter the change of enrollment of political party in the registers unless such elector is prohibited from changing his party enrollment as aforesaid

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,

Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Lelsey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	W. od,
Flah,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—3.

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

PERMISSION TO ADDRESS HOUSE

Mr. BRUNNER asked and obtained unanimous consent to address the House.

Mr. Speaker, about two weeks ago near Norristown in Montgomery County there was an atrocious sex killing of a five year old child. The killer is still at large and he may repeat his crime elsewhere. The treatment of sex offenders is a big problem which merits immediate legislative consideration.

One of the clearest expositions of this problem is found in the editorial column of the Philadelphia Inquirer under date of May 22nd, and I ask leave of the House to read into this record the editorial as it is written.

DON'T LET SEX CRIMINALS GO FREE!

Sex crimes in this country have reached unprecedented heights. They now total some 40,000 a year, not counting the many thousands that are never reported because of fear or shame.

We had a sickening example recently in the killing of a little girl near Ambler after she was lured into an automobile and cruelly attacked.

Every day finds similar tragedies marked down as sex offenses and supplementing them are hundreds upon hundreds of other expressions of sex abnormality and maladjustment.

As this horrible phase of human misbehavior continues to grow, there is growing with it the consciousness that our handling of sex variants is utterly wrong and that it is getting absolutely nowhere in the prevention or the correction of crime. It is based on the easy but dangerous misconception that sex criminals are ordinary criminals to be treated and punished as such.

The truth of the matter is that sex offenders are desperately sick people.

It does no possible good to jail them for days, weeks or months, and then set them free to repeat

their misdeeds or, as so often happens, to advance another step on their career of abnormality.

This is like sending a person to prison for having cancer.

The cold-blooded killers of children the brutes who beat and strangle and rip their little victims to death to climax their inhuman attacks, should be given the maximum punishment permitted by law.

But it is imperative that society should act to head off the variant before he reaches this ultimate rung in his descent to bestiality. It has been found that the sex murderer usually kills to avoid detection; homicide is but the by-product of his twisted passions.

Instead of permitting him to advance step by step, with only short prison terms, if anything, to interrupt him, we must stop him as early in his career as possible—and see that he is put away securely.

Needed for these people is a special type of institution that is neither a penitentiary nor an insane asylum but a hospital where their disorder may be diagnosed and its emotional causes unearthed and where they may be given the benefit of modern psychiatric treatment.

This is not to say that they should be coddled or given special privileges and comforts. Far from it. They should be kept in confinement until pronounced cured. If their maladjustment could not be corrected, they would be held permanently. There would be no more of the free-and-easy parole and probation practices whereby sex maniacs have been loosed upon society.

An integral part of this new system would be the establishment of psychiatric clinics where all convicted criminals would be screened prior to the delivery of sentences.

Needed, additionally, is greater preventive attention to sex maladjustments. It is unfortunate that many parents, who would rush their children to the doctor on the first suspicion of scarlet fever or whooping cough, fail to detect, or ignore, signs of sex variation that, if not headed off, may lead to disaster. The services of psychiatrists should be made available in the schools.

Many shocking crimes could have been prevented by intelligent advance treatment. A golden opportunity along this line was missed when Selective Service reports were not followed up.

A notorious case was that of Wayne Lonergan, who later killed his wife in New York. He had twice been rejected for the armed forces on the grounds of maladjustment. His examining physician stated in his report: "If this man is not given psychiatric treatment he is likely to become a serious menace."

William Heirens, the Chicago student who killed six-year-old Suzanne Degnan and threw her hacked-up body into sewers, was an easily recognized sex variant.

Time after time it has been proved that sex offenders are repeaters. Jail terms have not been deterrents. The most gruesome of sex murders have been committed by those who have served sentences for some minor item in the calendar of sex crime.

Every large city has police records full of known

sex perverts. It is routine to round them up for questioning whenever a sex crime is committed. But why are these persons at large in the first place?

To protect the public from sex crime, and to protect the sexually maladjusted from their own hideous quirks, these people should be placed in special institutions for psychiatric care and kept there until they are cured.

QUESTION OF PERSONAL PRIVILEGE

Mr. RAGOT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. RAGOT. Mr. Speaker, on April 14th, in the Legislative Journal on page 1476 I am recorded as not having voted on House Bill No. 365. I voted "no" and wish to be so recorded.

PERMISSION TO ADDRESS HOUSE

Mr. HEWITT asked and obtained unanimous consent to address the House.

Mr. Speaker, I want to make a few remarks in connection with the editorial the gentleman from Montgomery just read. It brings to my mind something that happened a year or so ago. There was a man in Franklin County about six years ago who beat a little girl six years old with a two inch strap for two hours to make her confess that she tore some leaves out of a book. The testimony proved that the little girl had not torn the leaves out of the book and therefore would not confess that she did so.

I noticed in last week's paper that this man is making a second attempt to be released from serving a life sentence, and I certainly do hope that the Pardon Board of Pennsylvania will keep that guy there six months, twice a year for life.

RESOLUTION

Mr. WORLEY offered a resolution which was laid over under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, I hope the House will bear with me. I am last on the program and I know the House is getting impatient. I will hurry as best as I can.

Since it is apparent after four months that the Rules Committee of this House of Representatives will not approve Resolution No. 8, which I introduced and addressed to the House for on January 27, 1947, which was referred to the Committee on Rules and printed in the Legislative Journal of January 28, 1947, and which resolution requested that the House affirm its belief that the United Nations Charter should be amended to provide for a World Federal Democracy Government, and since it is also apparent that some nations may not consent to amending the Charter, and since many legal authorities believe that the United Nations Charter should be given more time to test whether it will or will not adequately administer international law; and since it may be difficult for a nation not having a democratic form of government to send a truly representative man of the people to such

a world federal democracy, I have offered a resolution today which will meet many of these objections to my former Resolution No. 8 of the 1947 regular session.

This new resolution provides for a World Federal Democracy composed of the United States, the members of the British Commonwealth, France and other smaller western European nations and provides that this House urge the President of the United States to initiate a movement for the formation of a federal government of democratic countries. I certainly hope the Rules Committee will at least approve this resolution.

In further support of my resolution I want to read a letter which I have been given to read to this body from a former Justice of the United States Supreme Court, Owen J. Roberts of Pennsylvania. I quote his letter:

"Dear Mr. Worley: I am gratified that you are introducing a resolution in the House, calling for a federation of the democracies as a first step of world government under law.

"It seems evident that, in the present state of the world, all of the democracies, including our own, can reduce the cost of national defense by sharing it with others; can advantageously pursue a common foreign policy; and can strengthen world trade and the economic stability of all the nations in such a federation. These things they cannot do under the present assertion of national sovereignty. They cannot do them through United Nations, because it is impossible to get agreement, and if it were possible to get them, they cannot be made binding on any nation longer than it is willing to respect them.

"Mere negative measures, in my judgment, will be futile. What is needed is affirmative action to unite and strengthen representative democracy in the world. If we do this, we can soon demonstrate to the people of other nations how much better a way of producing order and peace this is than a mere league, association, or treaty between sovereign nations.

"It would mean much towards the accomplishment of such a federation of democracies if the Legislature of Pennsylvania were to go on record in favor of it. Yours sincerely, Owen J. Roberts."

REPORT FROM COMMITTEE

Mr. BRUNNER from the Committee on Rules reported as committed Senate Concurrent Resolution, Serial No. 113.

SENATE MESSAGE

CONCURRENT RESOLUTION

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 10, 1947

Whereas, Under Resolution, Serial Number 15 of the General Assembly of 1945, the Joint State Government Commission was directed to investigate, survey and consider all penal laws of the Commonwealth and to revise and restate such penal laws in codified form and to report its findings and conclusions at the next regular session of the General Assembly, and

Whereas, the laws of criminal procedure of the Commonwealth to better serve the efficient administration of justice are in need of similar study and codification, and

Whereas, because of the great importance attached to both the proper study and codification of the penal laws and the laws relating to criminal procedure it would be advisable and advantageous to make further study of the penal laws in conjunction with a study of the laws relating to criminal procedure, therefore be it,

Resolved, (if the House of Representatives concur), That the Joint State Government Commission be directed to continue its survey, investigation and consideration of all the penal laws of the Commonwealth and in connection therewith to survey, investigate and consider the laws of the Commonwealth relating to criminal procedure and to completely revise and restate such penal laws and laws relating to criminal procedure into codified form and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of the penal laws and laws relating to criminal procedure of the Commonwealth to be introduced at the next regular session of the General Assembly:

The Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM COMMITTEE

Mr. HOFFMAN from the Committee on Ways and Means, reported as committed, House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation" by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 1035

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in

which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 2, page 3, line 20 by striking out after the word "time" the words "if any when"; page 4, line 1 by inserting the word "as" before the word "an."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. CORDIER. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopess,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dairymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,
Demech,	Kilne,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weldner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Lelsey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Flsh,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—3.

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 305

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions and and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected and providing procedure for enforcement and imposing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 2 by inserting after the part word "viding" the words "procedure for enforcement and imposing penalties."

Amend Section 1, page 4, by inserting after line 6 the following:

Informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate alderman or justice of the Peace within the city borough incorporated town or township where the alleged violation occurred Provided That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate alderman or justice of the peace any such prosecution may be brought before any one of such officers or if there is no person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. ROBERTSON. Mr. Speaker, I move that the bill, together with the message from the Senate, be laid upon the table.

The motion was agreed to.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 432

An Act to further amend subsections (b) and (c) of section one thousand two of the act, approved the first

day of May, one thousand nine hundred twenty-nine, (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 5, line 15 by striking out the bracket before the word "Motor"; same line by inserting a heavy bracket before and after the word "forty-five" and inserting in lieu thereof the word "fifty"; same line by striking out the bracket after the word "hour".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. SORG. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Nedham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervanak,	Horan,	Nelson,	Thompson,
Cochran,	Imbt,	O'Connor,	Tittle,
Cole,	Jennings,	O'Dare,	Tompkins,
Cook,	Johnson,	O'Donnell,	Toomey,
Cooper,	Johnston,	O'Neill,	Turner,
Cordier,	Jones,	Orban,	Upshur,
Costa,	Jump,	Patten,	Vaughan,
Crowley,	Kean,	Petrosky,	Verona,
Dague,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,

Demech,	Kline,	Price,	Walton,
Dennison,	Kohl,	Propert,	Waterhouse,
Depuy,	Kratz,	Ragot,	Watkins,
Dix,	Krise,	Readinger,	Watson,
Dye,	Kurtz,	Reagan,	Weidner,
Efenberg,	Laughner,	Reese, D. P.,	Weiss,
Elder,	Layer,	Reese, R. E.,	Wescott,
Erb,	Lee,	Reilly, J. M.,	West,
Evans,	Leisey,	Reilly, W. J.,	Wheeler,
Ewing,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Flash,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarrafi,	Speaker.

NAYS—0.

NOT VOTING—3.

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 503

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6 by striking out after the word "by" the words "making is unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season"; page 2, by inserting on lines 1, 2 and 3 the words "making it unlawful for certain persons to wilfully disturb wild birds or wild animals within safety zones".

Amend Section 1, page 3, line 12 by inserting a heavy bracket before the word "to"; line 13 by inserting a heavy bracket after the word "game" and the words "the regular small game hunting season which normally opens on the first day of November to the thirty-first day of December next following both dates inclusive"; line 17 by inserting a heavy bracket before the word "open" and after the word "game" and inserting the words "period enumerated in subsection (a) of this section".

Amend Section 2, page 5, line 10 by striking out after the word "Prohibiting" the words "Disturbance of Wildlife and"; same line by inserting after the word "Shooting" the words "or disturbing wildlife"; line 7 by striking out after the word "Zones" the following:

"[it] During any open hunting or trapping season it is unlawful for any person [while hunting or trapping for

wild birds or wild animals of any kind to shoot or discharge any firearms or other deadly weapon] other than the resident owner or occupant to hunt for pursue disturb or otherwise chase or to permit a dog or dogs under his control to disturb or chase any wild animal or wild bird within one hundred and fifty years of any occupied dwelling house residence or other building or camp occupied by human beings or any barn stable or other building used in connection therewith the area within said distance being hereby defined as a "safety zone" without the specific advance permission of the resident owner or tenant thereof

"It is unlawful at any time for any person other than the resident owner or occupant while hunting or trapping for wild birds or wild animals of any kind to shoot or discharge any firearm or other deadly weapon within or into the safety zone hereinbefore defined or to shoot at any wild bird or wild animal while it is within such safety zone without first having obtained advance specific permission of the resident owner or tenant thereof" and inserting in lieu thereof the following:

It is unlawful at any time for any person other than the owner or occupant while hunting or trapping for wild birds or wild animals of any kind to shoot or discharge any firearm or other deadly weapon within one hundred and fifty years of any occupied dwelling house residence or other building or camp occupied by human beings or any barn stable or other building used in connection therewith the area within said distance being hereby defined as a "safety zone" or to shoot any any wild bird or wild animal while it is within such safety zone without the specific advance permission of the owner or tenant thereof

During any open hunting or trapping season it is unlawful for any person other than the owner or occupant to wilfully hunt for pursue disturb or otherwise chase any wild animal or bird within the safety zone designated in the preceding paragraph without the specific advance permission of the owner or occupant thereof

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ELDER Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken as follows:

YEAS—202.

Aaronson,	Getchey,	McCullough,	Scanlon,
Andrews,	Gibson,	McDonald,	Schuster,
Bane,	Goff,	McKinney,	Scott,
Barrett,	Goodling,	McMillen,	Serrill,
Baumunk,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Miller,	Smith, C. C.,
Bentzel,	Greer,	Mills,	Smith, F. M.,
Bloom,	Griffiths,	Mintess,	Snider,
Boles,	Guthrie,	Mohr,	Sollenberger,
Bonawitz,	Gyger,	Mooney,	Sorg,
Boorse,	Hall,	Moore, C. E.,	Sproul,
Bower,	Haller,	Moore, H. A.,	Stank,
Brelsch,	Haudenschild,	Morrison,	Stimmel,
Brice,	Helm,	Murray,	Stockham,
Brown,	Henry,	Myers,	Stonier,
Brunner,	Hewitt,	Najaka,	Stuart,
Bucchin,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Capano,	Hoopes,	Neff,	Thomassy,
Cassidy,	Horan,	Nelson,	Thompson,
Chervenak,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,

Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraf,	Speaker.
Gallagher,	McCosker,	Sax,	

NAYS—0.

NOT VOTING—3.

Chudoff, Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL NO. 266

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office

HOUSE BILL NO. 871

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed

HOUSE BILL NO. 884

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must be filed

HOUSE BILL NO. 898

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such

revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases

HOUSE BILL NO. 919

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commission and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain department boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board

HOUSE BILL NO. 961

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby

HOUSE BILL NO. 1084

An Act to abolish the Pennsylvania Post-War Planning Commission; and to repeal the act by which it was created.

HOUSE BILL NO. 1085

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and reappropriating the unexpended balance of the appropriation.

HOUSE BILL NO. 1091

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers

fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by amending Sections 220 and 2413 and adding new Section 526 and 701 (I) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission and to direct subject to approval by the Executive Board what records shall be preserved by photographic process and what assignment and utilization shall be made of space in the Capitol buildings

HOUSE BILL NO. 1163

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties

With the information that the Senate has passed the same without amendment.

SENATE MESSAGES

CONCURRENCE IN HOUSE RESOLUTIONS.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 21, 1947.

Recently, United States Senator Edward Martin was called from the floor of the Senate to meet a delegation of Pennsylvania Communists attending that party's veterans' convention. Since they were Pennsylvanians, Senator Martin heard what they had to say.

At the same time, the Senator impressed upon this group his beliefs as to certain of their activities.

Emphatically, he stated that he would at no time discuss the welfare of American veterans with any group upholding or representing the communistic philosophy, and that he would seek advice concerning veterans' needs only from recognized veterans' organizations and patriotic unaffiliated groups.

In short, Senator Martin condemned the use of the uniform or veteran status as a cloak behind which to advance communistic ideas in the guise of aid to veterans, and inferentially pointed out the infiltration tactics used as a common weapon by communists; therefore be it

Resolved, (if the Senate concur), That the General Assembly of Pennsylvania commends and congratulates Senator Edward Martin for the forthright stand he has taken on the above occasion; and be it further

Resolved, That copies of this resolution be sent to United States Senator Edward Martin.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 22, 1947.

Resolved (if the Senate concurs), that House Bill No. 438, Printer's No. 274, entitled "An act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled 'An act to empower bor-

oughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same' deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in Pennsylvania," be recalled from the Governor for further consideration.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL NO. 438

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 438, Printer's No. 274, for further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

BILL AND COMMUNICATION LAID ON TABLE

Mr. SORG. Mr. Speaker, I move that the bill together with the communication from the Governor be laid upon the table.

The motion was agreed to.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 865

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 865, Printer's No. 426, for further amendments.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

RECONSIDERATION OF VOTE

Mr. JONES. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HOFFMAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Northampton, Mr. Jones vote on the final passage of this bill?

Mr. JONES. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Northampton, Mr. Hoffman vote on the final passage of this bill?

Mr. HOFFMAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. JONES. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.
On the question recurring,
Will the House agree to the bill on third reading?
Messrs. JONES and HOFFMAN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 1 (Section 906), page 3 by striking out lines 17 to 20 inclusive, and inserting in lieu thereof, the following: "once each week for two successive weeks in counties of the first and second class and once in all other counties."

Amend Section 2 (Section 1201), page 4, line 6 by striking out the bracket before the word "once."

Amend Section 2 (Section 1201), page 4, line 7 by striking out the bracket after the word "thereto."

Amend Section 2 (Section 1201), page 4, line 8 by striking out after the word "CLASS" the following: "[Such notice]."

Amend Section 2 (Section 1201), page 4, line 9 by striking out at the beginning of the line, before the word "and" the following: "[shall be published twice in separate weeks]."

Amend Section 2 (Section 1201), page 4, line 9 by inserting after the word "and" the following: "once."

Amend Section 2 (Section 1201), page 4, line 10 by striking out after the word "counties" and before the word "Such" the following: "[shall be published once]."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 558.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1947.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 558, Printer's No. 253, for further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF.

BILL AND COMMUNICATION LAID ON TABLE

Mr. KLINE. Mr. Speaker, I move that the bill together with the communication from the Governor be laid upon the table.

The motion was agreed to.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 586

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1947.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 586, Printer's No. 411, entitled "An Act relating to the public practice of certified public accountants providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants and for the suspension and revocation of such certificates subject to appeal and for their reinstatement prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction providing for ownership of working paper defining unlawful acts and acts not unlawful providing penalties and repealing existing laws."

JAMES H. DUFF.

SENATE MESSAGE

The Clerk of the Senate, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 363, 709, 712, 732, 736, 743 and 761

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 601.

An Act to further amend section five of article three of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by further regulating barrier pillars

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONDOLENCE RESOLUTION

Mr. FLEMING offered a resolution which was read, considered and adopted as follows:

In the House of Representatives, May 26, 1947.

Resolved, That we, the members of the House of Representatives, extend to our fellow member, the Honorable John J. Vaughan, our most sincere sympathy in the death of his aunt, Bridget Griffin Vaughan, whose love and affection sustained our fellow member during the years following the death of his mother.

In token of our sympathy and respect for Representative Vaughan, it is hereby directed that this resolution be spread on the journal of the proceedings of the House of Representatives and a copy thereof, properly certified, be transmitted to the Honorable John J. Vaughan.

ANNOUNCEMENT

The SPEAKER. The members of the Legislature have received an invitation from Harrisburg Post, No. 27 of the American Legion. This Post invites you to attend on May 27, 1947, the annual Capitol Hill night—refreshments, from 8:00 P. M.

"We anticipate the presence of the National Commander

of the American Legion, Paul Griffiths, the Department Commander of Pennsylvania and other officials on this occasion. We sincerely hope you will favor us with your presence." Signed by the Harrisburg Post Commander.

PERMISSION TO ADDRESS HOUSE

Mr. GOODLING asked and obtained unanimous consent to address the House.

Mr. Speaker, for the benefit of the gentleman from Adams, Mr. Worley, I would like to read the following news dispatch

"Stork Schedule:

"All the hue and cry about daylight time won't confuse the stork's time table in Peoria, Ill. Dr. E. V. Thiehoff, City Health Commissioner, has ruled that births will be recorded as of standard time."

COMMITTEE MEETINGS

Cities and County—Second Class, Room No. 521, Tuesday, May 27, 1947, at 11 a. m., D. S. T.

Cities—Third Class, Room No. 521, Tuesday, May 27, 1947, at 10:30 a. m., D. S. T.

Counties, Room No. 329, Tuesday, May 27, 1947, at 11:30 a. m., D. S. T.

Insurance, Monday, May 26, 1947, immediately following the Session, in the Cafeteria.

Judiciary, Room No. 323, Tuesday, May 27, 1947, at 11:00 a. m., D. S. T.

Law and Order, Room No. 325, Tuesday, May 27, 1947, at 10:30 a. m., D. S. T.

Public Health and Sanitation, Room No. 522, Tuesday, May 27, 1947, at 11 a. m., D. S. T.

Townships, Room No. 522, Tuesday, May 27, 1947, at 11:30 a. m., D. S. T.

There will be a Public Hearing before the Committee on Municipal Corporations, on House Bill No. 551, Tuesday, May 27, 1947, at 10 a. m., D. S. T., in the Old House Caucus Room.

ADJOURNMENT

Mr. KENT. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 27, 1947, at 12:00 Noon, Eastern Standard Time.

The motion was agreed to, and (at 5:59 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., TUESDAY, MAY 27, 1947.

No. 63.

SENATE

TUESDAY, May 27, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

The Chaplain, Rev. W. MURRAY YOUNG offered the following prayer:

O Thou Who art the God of the Living and the Living Dead; Thou hast sent us forth to play our part in a struggling and unstable world where there is no gain except by loss, and no life except by death. With deep and abiding tenderness and gratitude, we think of those sacred and quiet acres, all marked by the bright cross of sacrifice, where at home and abroad sleep the mortal forms of the Crusaders of liberation and freedom of democracy. We are aware of the shadows of sorrow that darken our hearts, our homes and our nation with the consciousness that they no longer walk among us. But we rejoice with them as we approach our Day of National Remembrance, that their souls will still go marching on in a world cleansed of bestial domination and desolation.

Make us worthy of those of our sons and daughters, as well as our forebearers whose graves we shall presently garnish with wreaths of tenderest memory and love. And may the Day of Remembrance, A. D. 1947, be filled with the fragrance of the spirit of sacrifice of those who—"Gave the last full measure of devotion," to home and country. God grant that we may fittingly honor their memory by fully subscribing to the working of the democratic processes which have made us great, and have given us our American Way of Life.

"God of our fathers, known of old,
Lord of our far-flung battle line,
Beneath whose awful hand we hold,
Dominion over palm and pine;
Lord God of Hosts, be with us yet,
Lest we forget, lest we forget!"

All this we ask in the name of the One whose truth makes us, and all men free! Amen!

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. LLOYD H. WOOD, further reading was dispensed with, and the Journal was approved.

REMARKS BY PAUL H. GRIFFITHS, NATIONAL COMMANDER, AMERICAN LEGION

The PRESIDENT. Members of the Senate, we are highly honored today by the presence of the National Commander of the American Legion, Paul H. Griffiths, of Uniontown, Pennsylvania. May I say to you, as a legionnaire and as a veteran, that we are indeed especially proud of the fact that Pennsylvania, in these grave days, has a Pennsylvanian as commander of the Legion.

Paul Griffiths has been in harness in Legion circles for years. He started in with its inception right after World War I; he is a veteran of World War I and a veteran of World War II. He knows the Legion, he knows Pennsylvania, and he knows America. I know of no one at the moment in our great country who is doing more to spread the gospel of real true Americanism than Paul H. Griffiths, it is a pleasure for me to introduce him to you, and I would like him to say a few words.

Commander GRIFFITHS. Thank you, Governor Strickler.

Gentlemen of the Senate, this is indeed a very happy privilege for me. I have been going about over the country, into every state of the union, and I have talked before joint sessions of the legislatures in almost every state of the union this year, but I know of no greater pleasure than to come back to my own Pennsylvania and have the opportunity to come before this distinguished body, to bring you greetings of more than 306,000 veterans of Pennsylvania, who are members of the American Legion in Pennsylvania, and the more than three and one-half million veterans in the nation who are members of the American Legion, and for whom I am this year the spokesman and national commander.

I do not come here to ask you to pass any legislation for veterans. I come here merely to commend you for the very fine things you have done for veterans in the past, and to assure you that, as Pennsylvanians, we have confidence in the actions that you will give to the veterans of this Commonwealth in the years to come.

I believe these are trying times, times when all of us must consider seriously the situation that confronts this great nation. I am glad to have the opportunity to say something to you, as the lawmakers of this great Commonwealth, about the things that I think confront the nation today.

Primarily, I believe we should consider the subversive activities that we find rampant in this country. Wherever I go, regardless of the group that I go before, I find a willingness to hear something about the true principles of Americanism that the American Legion has been advocating for years, and the danger that confront this nation and the world, because of the spread of Russian influence and communism throughout the world. I know of no better place in this country to speak of Americanism than right here in Pennsylvania. Even though a great part of the population out in the part of the state where I come from is made up of people who came to this country from foreign lands, seeking freedom and liberty and opportunity, I am sure you realize that no better group of Americans will be found any place in this country than right out there in Western Pennsylvania, but it is almost appalling when you think that here in the great state of Pennsylvania, and throughout the entire nation, we have people who are spreading foreign ideologies, ideologies that are foreign influenced, foreign dominated and foreign financed, with which they would supplant our American way of life. I think the time has come when we must call upon all Americans to stand up for America and let the world know that we propose to perpetuate the kind of government that we have had here and the things that have made us the greatest nation in all the world.

During the last war we defeated both Nazism and Fascism, we hope for all time, but there is another "ism" which seems to have had a new birth, and which is spreading itself over the world at a terrific pace. Of course, I refer to communism, and if we are going to defeat communism in America and preserve the American way of life, the things that have made us so great, we have got to do something more than just sit by complacently and hope that Americanism is preserved and that communism is defeated.

The Under-secretary of State, the other day, before the Committee on Un-American Activities in the House of Representatives at Washington, said that he believed that Russia was an aggressor nation, and he told us how she was spreading herself over the world, and how in Europe and in China she was making great progress and drawing the iron curtain behind her as she went.

The President of the United States appeared before a joint session of the House and Senate in Washington about two months ago and asked that group there to change our foreign policy in order that we might send money, soldiers, diplomats and technicians into Greece and Turkey to prevent the spread of communism there.

I believe the people of America have awakened to the dangers, because of the position that these leaders in high places in this country have taken, and we agree that Russian influence and the spread of communism must be stopped throughout the world, but we believe that most important of all is the stopping of the spread of communism here in America, and we find it here in almost every strata of American life, in our churches, in our schools, in our labor organizations, in our governmental departments, and, I am ashamed to say, in some of our veterans' organizations.

And so, if I could bring you any message at all, it would be that you see to it, as the highest house of our

Legislature here in Pennsylvania, that communism in this great Commonwealth be outlawed, so that where communists dare show their ugly heads, we could arrest them and punish them. Opponents to our plea to abolish or outlaw communism in the United States say that it would only drive them underground. Well, in my opinion, they are fugitives from the fact, because communists in this country have always been underground; only leaders who sneak into this country by one device or another are above ground, and if we could outlaw them and drive them underground, we would at least be able to enforce our laws against them, and that would make it more difficult for them to receive their orders and their money and the other things that they receive from abroad.

In addition to outlawing the communist party, I think we ought to take steps in this country to build up our national defense, and make ourselves so strong that when our Secretary of State, General Marshall, also a Pennsylvanian, goes to the foreign minister's conference the next time, that he can speak to Russia in a firm voice. He has indicated that he must do that, if we are going to get any place with the making of the peace, and he has also indicated that if Russia refuses to go along much longer, the thing that the United States and those nations which wish to maintain peace in the world will have to do is to make a peace without Russia.

I realize that the Senate of Pennsylvania does not make our laws or our appropriations with regard to the national defense, but this body has many time memorialized the Congress on things that they wanted to see enacted into law, and I would like to see from my home state of Pennsylvania some action on the part of our law-making body that would let the Congress know that we in Pennsylvania insist upon adequate national defenses.

We believe that by enacting some plan of universal military training we could have a nucleus around which we could build an adequate national defense in this country, and still not displace our young men and young women, as it was necessary to do in time of war.

The American Legion has introduced into the Congress a bill known as the American Plan for Universal Military Training, which would take the young men of this country, when they reach the age of eighteen or when they graduate from high school, and send them into a training center situated as near their home as possible, where they would receive a four month basic training period; at the completion of that four month basic training period they would be allowed to choose for themselves how they could complete the equivalent of a year's military training. If they are going on to college, they could take the R. O. T. C., or, if they are going to become doctors, dentists, or chemists, they could qualify for a commission when they qualify for their degree. If they are going back to factories or farms or shops or mines, they could join the National Guard or the Naval Reserve Training Program or any other recognized training reserve program, and complete the equivalent of a year's military training there.

We do not believe there is any great amount of displacement to the youth of this country in any such plan as that. Some people have confused our idea with compulsory military service, but I want you to realize there is a great difference between universal military training

and compulsory military service. Compulsory military service would take the young men of this country in peace time as we took them in time of war, send them into the regular establishments of the army and the navy and make them available to man our outposts, or go into the armies of occupation, or even to man the posts here at home for a definite period. I do not believe the American people are in favor of compulsory military service in peace time, but universal military training, you see, would do no such thing. We found through a Gallup poll that was taken just last month, that about seventy-three per cent of the people in this country, or at least seventy-three per cent of the people contacted in that poll, agree that we should have some kind of universal military training, and I think such a memorializing resolution would be a very fine gesture on the part of both branches of this Legislature in Pennsylvania. And naturally, I would like to see that come this year, because I am preaching and teaching national defense and universal military training in every corner of this great country of ours. I would like to see some action on the part of our Legislature that would memorialize Congress with regard to a plan for universal military training and let them know how the people of Pennsylvania feel about this plan, which would provide us a nucleus around which we could build an adequate national defense, not only to preserve the peace, but to afford us protection if war should ever come again. I believe that if we want to preserve the things for which we fought, and for which so many of our comrades gave their lives, we must have universal military training and an adequate national defense, so that we can say to the world "We here in America want to preserve the peace, but if there are aggressor nations in the world, then we want them to know that we are adequately prepared," and I believe that with such an attitude, and with such preparation, no aggressor nation would ever dare attack us.

I repeat, this is indeed a pleasure, for me to be permitted to come before you and have this opportunity of saying a few words to you, and I appreciate the opportunity and your kindness and attention very much. Thank you.

The PRESIDENT. Accompanying the National Commander is the State Commander of the American Legion, Clyde Rankin, and I would just like to have him rise.

Mr. TARR. Mr. President, on behalf of the members of the Senate, since Commander Griffiths happens to come from the city of Uniontown and is one of my comrades of Lafayette Post No. 51, I wish to express our sincere thanks for his appearance here this afternoon. If you folks knew Paul as well as we in Uniontown and Fayette county know Paul, you would know that everything he told you this afternoon was sincere and from the bottom of his heart. We can rest assured that just so long as men like Paul Griffiths head our veteran's organizations, Americanism in Pennsylvania and the United States has no worry.

The PRESIDENT. Thank you very much, Commander Griffiths. I hope you enjoy your visit through Pennsylvania, and that you will come back to see us soon again.

RECESS

Mr. TALLMAN. Mr. President, I understand a number of men in the Senate chamber and members of the Senate

are members of the American Legion, who would like to have an opportunity to greet Commander Griffiths personally.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. WALKER. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WOLFE. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 27, 1947.

Mr. KEPHART. Mr. President, I second the motion. The motion was agreed to. The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 27, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

John A. Hays, Pittsburgh, Frick Building
Mrs. Gladys H. Thomson, McKeesport

CARBON COUNTY

Samuel A. Lockwood, Banks Twp., Chestnut Street,
Tresckow

JEFFERSON COUNTY

Miss Lois Corbet, Brookville

NORTHUMBERLAND COUNTY

William J. Goheen, Shamokin

PHILADELPHIA COUNTY

Arthur L. Barker, Phila., 2603 W. Silver St.
Miss Edith S. Strand, Phila., 1914 67th Ave. (38)
Miss Rita J. Taglianetti Phila., Colonial Motors, Inc.,
166 W. Cheltenham Ave.

YORK COUNTY

Mrs. Miriam M. Forrest, York

JAMES H. DUFF

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WOLFE and Mr. KEPHART, That the Senate do advise and consent to said nominations. On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

GREENE COUNTY

Carter Andrew (Democrat), R. D. 1, Nineveh to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice E. C. Cowell, Waynesburg, whose term expired.

Mrs. Esther Forler Bartholomew (Republican), Sunrise Park, Waynesburg, to serve until December 31, 1949, and until her successor is duly appointed and qualified, vice A. G. Wiley, Wind Ridge, whose term expired.

Raymond N. Patterson (Democrat), R. D. 1, Greensboro, to serve until December 31, 1948, and until his successor is duly appointed and qualified, vice William T. Moore, Waynesburg, whose term expired.

WASHINGTON COUNTY

James C. Wolf (Republican), 14 Maple Avenue, Burgettstown, to serve until December 31, 1949, and until his successor is duly appointed and qualified, vice James B. Wray, Finleyville, deceased.

JAMES H. DUFF.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

JOINT STATE GOVERNMENT COMMISSION TO CONTINUE ITS STUDY, INVESTIGATION AND CONSIDERATION OF ALL PENAL LAWS OF THE COMMONWEALTH

In the Senate, March 10, 1947.

Whereas, Under Resolution, Serial Number 15 of the General Assembly of 1945, the Joint State Government Commission was directed to investigate, survey and consider all penal laws of the Commonwealth and to revise and restate such penal laws in codified form and to report its findings and conclusions at the next regular session of the General Assembly, and

Whereas, the laws of criminal procedure of the Commonwealth to better serve the efficient administration of Justice are in need of similar study and codification, and

Whereas, because of the great importance attached to both the proper study and codification of the penal laws and the laws relating to criminal procedure it would be advisable and advantageous to make further study of the penal laws in conjunction with the study of the laws relating to criminal procedure, therefore be it,

Resolved, (if the House of Representatives concur) That the Joint State Government Commission be directed to continue its survey, investigation and consideration of all the penal laws of the Commonwealth and in connection therewith to survey, investigate and consider the laws of the Commonwealth relating to criminal procedure, and to completely revise and restate such penal laws and laws relating to criminal procedure into codified form and to report its findings and conclusions to the next regular session of the General Assembly with a bill or bills embodying a codification of the penal laws and laws relating to criminal procedure of the Commonwealth to be introduced at the next regular session of the General Assembly:

The Legislative Reference Bureau shall prepare the necessary drafts of all bills agreed on by the commission and shall furnish such advice and assistance as it may be called on to furnish.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 314

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 314, entitled:

An Act to further amend sections five and six of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by requiring all city, county or other public employes whether paid a per diem wage or otherwise, to become members of the pension system of such city, and removing optional rate of contribution.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 393

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 393, entitled:

An Act to amend sections two and five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sale of fruits and vegetables in original unbroken standard containers;

imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties," further regulating such weights and measures; and increasing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 432

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 503

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 503, entitled:

An Act to amend or further amend, Sections eight hundred six, eight hundred eight, and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1035

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1035, entitled:

An Act to amend section forty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that the surety on the bond or bonds of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

HOUSE CONCURS IN SENATE BILL No. 246

He also returned to the Senate, Senate Bill No. 246, entitled:

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employees under any stock bonus, pension, disability or death benefit, profit-sharing or other employee-benefit plan, and the application with respect thereto of any statute or rule of law against perpetuities, accumulations, or the suspension of the power of alienation.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 337

He also returned to the Senate, Senate Bill No. 337, entitled:

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers and duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries and the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges and appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 338

He also returned to the Senate, Senate Bill No. 338, entitled:

An Act to further amend clause (c) of section three of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them

through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," excluding municipal authorities from the definition of employer.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 587

He also returned to the Senate, Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" clarifying the provisions relating to the time for giving change of party enrollment notice

with the information that the House has passed the same without amendments.

SENATE BILL No. 152, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 152, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition

of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood used in the manufacture of paper, or wood used in the manufacture of charcoal and wood chemicals.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 318, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 318, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within one year after the effective date of this act

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL No. 334, RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 334, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships prescribing the rights powers and duties of such Authorities heretofore or hereafter incorporated authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and conferring exclusive jurisdiction on certain courts over rates" by further providing for the incorporation of such Authorities and further prescribing the rights powers and duties of such Authorities

with the information that the House has passed the same

with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 22, entitled:

An Act authorizing and directing the Legislative Reference Bureau to compile, edit and publish a revised compilation of laws relating to soldiers, sailors and marines, their dependents, and war veteran organizations and making an appropriation.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 168, entitled:

An Act providing for the issuance and sale of bonds by the Commonwealth of Pennsylvania for the construction of public building creating a special fund in the State Treasury to be known as the Public Buildings Construction Fund; defining the powers and duties of the Governor, the Auditor General, the State Treasurer, and the Board of Finance and Revenue, in relation thereto; providing for the payment of interest on, and the redemption of, such bonds; and making appropriation.

Which was committed to the Committee on State Government.

House Bill No. 245, entitled:

An Act creating for a limited time public bodies corporate and politic to be known as Veterans' Housing Authority to make available for veterans of World War II temporary emergency housing accommodations; empowering them to acquire by purchase, gift, or eminent domain certain dwellings and other structures; providing for their organization and the exercise of their powers and duties including the borrowing of money, issuing bonds and other obligations, the leasing and selling of property acquired and conferring certain powers and duties on the governing bodies of cities and counties and the State Board of Housing.

Which was committed to the Committee on State Government.

House Bill No. 335, entitled:

An Act to further amend section one of the act, approved the eighth day of April, one thousand eight hundred sixty-seven (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," prohibiting the imposition of taxes on such licenses.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employees Retirement Law," further defining State employees and original members so as to extend the benefits of the act to employees of institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor.

Which was committed to the Committee on State Government.

House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

Which was committed to the Committee on Appropriations.

House Bill No. 782, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Pennsylvania Historical and Museum Commission to acquire on behalf of the Commonwealth certain land at the recognized site of William Penn's first landing in Pennsylvania in the city of Chester Delaware County as a historical site providing for the control management supervision improvement and maintenance thereof authorizing the Pennsylvania Historical and Museum Commission to make and enforce rules and regulations for the preservation and visitation thereof and making an appropriation

Which was committed to the Committee on State Government.

House Bill No. 982, entitled:

An Act to amend section one of the act, approved the twenty-first day of March one thousand nine hundred forty-five (P. L. 51), entitled "An act defining and regulating the practice of Chiropody and providing penalties," by further defining Chiropody.

Which was committed to the Committee on Public Health and Welfare.

House Bill No. 1188, entitled:

INCREASING DEBT LIMIT OF CITY OF PHILADELPHIA

A Joint Resolution proposing an amendment to article nine, section eight, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 246, entitled:

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employees under any stock

bonus, pension, disability or death benefit, profit-sharing or other employee-benefit plan, and the application with respect thereto of any statute or rule of law against perpetuities, accumulations, or the suspension of the power of alienation.

House Bill No. 263, entitled:

An Act relating to firemen's pension fund in cities of the second class A, and directing such cities to appropriate certain moneys thereto.

House Bill No. 266, entitled:

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office.

House Bill No. 314, entitled:

An Act to further amend sections five and six of the act, approved the twentieth day of May, one thousand nine hundred fifteen (P. L. 566), entitled "An act requiring cities of the first class to establish a pension fund for employees of said cities, and all county or other public employees, if any, paid by appropriation of the city councils thereof, and out of the treasury of said cities; and regulating the administration and the payment of such pensions," by requiring all city, county or other public employees whether paid a per diem wage or otherwise, to become members of the pension system of such city, and removing optional rate of contribution.

Senate Bill No. 337, entitled:

An Act to further amend the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; and appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by, or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports, and other proceedings, and the fees therefor; appeals in certain cases; and also generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

Senate Bill No. 338, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certifying as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," excluding municipal authorities from the definition of employer.

House Bill No. 393, entitled:

An Act to amend sections two and five of the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 1007), entitled "An act to prevent fraud and deception; regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth; regulating sales of fruits and vegetables in original unbroken standard containers; imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures; and prescribing penalties," further regulating such weights and measures; and increasing penalties.

House Bill No. 432, entitled:

An Act to further amend subsections (b) and (c) of section one thousand two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

House Bill No. 503, entitled:

An Act to amend, or further amend, sections eight hundred six, eight hundred eight, and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season; clarifying the law with reference to shooting within safety zones; prohibiting the conveyance of certain firearms without being wrapped or in a case; and clarifying the law with reference to hunting accident reports.

House Bill No. 542, entitled:

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class; prescribing the

rights, powers and duties of such authorities; authorizing such authorities to acquire, construct, improve, maintain and operate parking projects; to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such authorities; empowering such authorities to enter into contracts with and to accept grants from the Federal government, State political subdivisions of the State, or any agency thereof; exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates.

Senate Bill No. 587, entitled:

An Act to further amend subsection (b) of section thirty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties bodies of electors, registration commissions, commissioners, registrars, inspectors or registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county taserers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms and corporations operating vehicle for moving furniture and household goods and boards of school directors; and imposing penalties," clarifying the provisions relating to the time for giving change or party enrollment notice.

House Bill No. 871, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth, and prescribing a limitation period within which such petitions must be filed.

House Bill No. 884, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203), and prescribing a limitation period within which such petitions must be filed.

House Bill No. 898, entitled:

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by permitting additional or increased appropriations by first class school districts in certain cases

House Bill No. 919, entitled:

An act to amend section four hundred fifty-one of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," changing the membership of the State Planning Board.

House Bill No. 961, entitled:

An Act to amend section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor, and the assessment and collection of the cost thereof from property benefited thereby.

House Bill No. 1035, entitled:

An Act to amend section forty of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that the surety on the bond or bonds of a deceased collector, for whose estate no executor or administrator has been appointed, shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

House Bill No. 1084, entitled:

An Act to abolish the Pennsylvania Post-War Planning Commission; and to repeal the act by which it was created.

House Bill No. 1085, entitled:

A Supplement to the act approved the fourth day of June, one thousand nine hundred forty-five (P. L. 1191), entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation," providing for the winding up of the functions of the Pennsylvania Post-War planning Commission by the State Planning Board; and reappropriating the unexpended balance of the appropriation.

House Bill No. 1091, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended, by amending Section 220 and 2413, and adding new Sections 526 and 701(1), authorizing and directing the Governor to prescribe the filing system to be adopted by each department, board and commission, and to direct, subject to approval by the Executive Board, what records shall be preserved by photographic process, and what assignment and utilization shall be made of space in the Capitol buildings.

House Bill No. 1163, entitled:

An Act to further amend section seven and amend section ten of the act, approved the thirteenth day of May, one thousand nine hundred twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," further regulating the solicitation of money and property.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

PERSONAL PRIVILEGE

Mr. CARR. Mr. President, and members of the Senate, I rise on a point of personal privileges to read a letter which I received, dated at Harrisburg, May 24, 1947.

"Harrisburg, Penna., May 24, 1947.

Hon. Jacob Carr, State Senate, Harrisburg, Penna.

Dear Senator:

Many of your admirers of long standing are somewhat troubled in mind and saddened in heart over the implications which naturally follow from an article written by one Joseph Miller and published in the Philadelphia Inquirer on Friday May 23, as per attached clipping. Apparently you have changed your position upon the Sunday ice-hockey bill.

Senator, many of us know that legislators naturally fall into several categories. Some vote righteously but live in sin. Some live righteously but vote for sin. Other live righteously and vote righteously. One can never sin righteously. In past years we have consistently classified you as one who both voted and lived righteously. Are we now to assume that you have espoused the devil and all of his works? We sincerely hope not. If valiant Christians, like you, forsake the cause of Sabbath observance and permit of its prostitution, then certainly our country is headed to perdition.

Now, Senator Carr, we do hope that you will reconsider your present stand upon this matter. We do not want our boys and girls to look upon ice-folly-leg shows on the Sabbath day when they should be reflecting upon the pure thoughts and fine influences which emanate from our Christian Churches.

Sincerely and hopefully,

JOHN GROSS"

Mr. President, the letter is the result of publication in the Philadelphia Inquirer, under a Harrisburg date line of May 22, of a statement concerning my operation as chairman of a Senate Committee, in cooperation with the House, with regard to getting bills out of committees on each side that the sponsors of bills feel are being unfairly held in such committees.

Acting as chairman of that committee, and under instructions from the Republican caucus, I presented to the floor leader of the House a list of certain bills which had been handed to me, and among them was this particular bill which seems to have been singled out for special emphasis as the one bill in which we were interested, and I want to state here and now, so that there may be no misunderstanding whatever, that I simply acted as the representative of the Republican caucus in doing what I had been instructed to do as chairman of the committee and that I have not changed my mind in any way concerning any moral legislation and I am still and always will be opposed to any of these bills which liberalize the use of the Sabbath day.

I am saying this publicly, in order that there may be no misunderstanding concerning the ice-hockey follies bill or any other piece of legislation which I may feel it my duty to present, along with other legislation, to the leaders of the House when directed so to do in the caucus of my party.

I do not think that Mr. Miller intended to imply my particular interest in this bill, but a reading of the article would permit that construction to be put upon it, and therefore I would like to request that Mr. Miller give some publicity to my statement of this afternoon, in order that my good friends throughout the state may know that I am still the man I always have been.

REPORTS FROM COMMITTEES

BILL RE-REFERRED

Mr. CROWE, from the Committee on Insurance reported as committed, Senate Bill No. 661, entitled:

An Act to reenact the act, approved the fourth day of April, one thousand nine hundred twenty-nine (P. L. 149), entitled "An act authorizing guardians of minors to expend parts of the income of said minors in life insurance policies, with leave of the orphans' court, and stipulating the rights of such minors in regard thereto upon becoming of age."

which was re-referred to the Committee on Judiciary General.

Mr. WILSON, from the Committee on Labor and Industry reported as committed, Senate Bill No. 801, entitled:

An Act to provide for the prompt, peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric, gas, water and steam heat services to the public and their employees which cause or threaten to cause strikes, lockouts, slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service; providing procedures for the adjustment and settlement of such disputes; declaring that the public policy of the Commonwealth requires the continuation, without cessation, of such public utility services and providing means, including regulations affecting the rights, powers and privileges of employers and employees, for the enforcement of such public policy; and providing penalties.

Mr. DONLAN, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 645, entitled:

An Act to amend the title and section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age, or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Service-men's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," extending the provisions thereof to loans made, insured or guaranteed under the "Bankhead-Jones Farm Tenant Act" and other Federal legislation.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 161, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II; providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and providing penalties.

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating

reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission.

Mr. WATSON, from the Committee on Insurance reported as committed, Senate Bill No. 678, entitled:

An Act to further amend subsection (b) of section four hundred fifteen, and subsection (a) of section six hundred twenty-one point one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining group life insurance and group accident and health insurance to include trust funds established by employers.

He also, from the Committee on Labor and Industry, reported as committed, House Bill No. 952, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits.

He also, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details

for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, establishing the Fund Stabilization Factor in lieu of the Safety Factor, and making provision for the application thereof, and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

Mr. FRAZIER, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 775, entitled:

An Act to further amend subsection (c) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees; authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court, providing for service of papers and process of the board; prescribing certain penalties," conferring additional powers and duties upon the Pennsylvania Labor Relations Board with reference to questions concerning representation of employees for the purposes of collective bargaining.

He also, from the Committee on Labor and Industry reported as committed, House Bill No. 826, entitled:

An Act relating to strikes by public employees, prohibiting such strikes, providing that such employees by striking terminate their employment; providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board.

Mr. T. NEWELL WOOD, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain

administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

He also, from the Committee on Labor and Industry reported as committed, Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection.

He also, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. one thousand five hundred thirteen), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection and certificates.

Mr. DOEHLA, from the Committee on Local Government, reported as amended, Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act, approved the twenty-third day of May, one thousand nine hundred seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," further regulating the manner of reducing the number of employes in certain cases.

Mr. SCARLETT, from the Committee on Labor and Industry, reported as amended, House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employees to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts providing for the right of employees to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections, and certify as to representatives of employees for purposes of collective bargaining; empowering the board to prevent any person from

engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers; including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be unfair labor practice.

Mr. WOLFE, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 206, entitled:

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134), entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published.

Mr. WAGNER, from the Committee on Public Health and Welfare, reported as committed, Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

Mr. LORD, from the Committee on Judiciary General reported as committed, Senate Bill No. 792, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer; requiring such persons to display at their place of business of the manufacturer's retail price and to keep records of the prices at which

they purchase and sell the same and records of the orders received from and filled for customers; requiring an affidavit of the consideration received before a new certificate of title is issued; providing for the revocation of dealer's licenses and imposing penalties for violations.

Mr. WALKER, from the Committee on Judiciary General, reported as amended, Senate Bill No. 726, entitled:

An Act to amend section ten of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisal of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to the fiduciaries concerned with the estates of decedents," limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

He also, from the Committee on Judiciary General, reported as amended, House Bill No. 92, entitled:

An Act to amend section one of the act, approved the fifth day of April, one thousand nine hundred twenty-nine (P. L. 170), entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth, and imposing liability for costs upon the county in certain cases," increasing the fees and costs in certain cases.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 771, entitled:

An Act to further amend section seven and to amend section eight of the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that any number of items, held by any administrator or executor, trustee, fiduciary, depository of the court, receiver or other officers of the court which are escheatable, may be joined in one action of escheat, and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held, and further providing that the Attorney General or any other

person, authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property, shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator; and further providing that the court may make orders relative to advertising and notice of the proceedings, whether the escheatable property is real or personal.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 8, entitled:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 93, entitled:

An Act to amend section one of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1158), entitled "An act to fix, regulate, and establish the fees to be charged and received by constables in this Commonwealth," increasing the fees in certain cases.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 779, entitled:

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 601, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 794, entitled:

An Act regulating the procedure for the ascertainment, determination and assessment of damages and benefits occasioned by the taking of property when the right of eminent domain is exercised by the Commonwealth.

Mr. CHAPMAN, from the Committee on Labor and Industry, reported as amended, House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

Mr. CARR, from the Committee on Labor and Industry, reported as amended, House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties.

He also, from the Committee on Insurance reported as amended, House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties; and repealing existing laws," increasing fees for agents' licenses, and imposing a fee for written examinations to applicants for certain licenses.

He also, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 1062, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further reorganizing the Department of Welfare and its boards and officers creating the Department of Mental Health prescribing its functions powers and duties and fixing salaries.

Mr. STEVENSON, from the Committee on Local Government, reported as amended House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions, and providing that certain expenses are to be paid by the counties.

Mr. BLASS, from the Committee on Insurance, reported as committed, House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulations, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus,

and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance.

Mr. RUTH, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purposes..

He also, from the Committee on Military Affairs and Aeronautics, reported as committed, House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families, and to declare valid and legal all contracts, agreements, obligations, undertakings, indebtedness, appropriations and all proceedings, acts and things heretofore undertaken, performed or done with reference thereto.

Mr. DiSILVESTRO, from the Committee on Public Health and Welfare, reported as amended, House Bill No. 1043, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic anaglesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail.

Mr. KLEIN, from the Committee on Local Government, reported as committed, House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth seventh, and eighth classes; and revising, amending and consolidating the laws relating thereto," extending the provisions relative to the making of certain contracts and further regulating same.

He also, from the Committee on Local Government, reported as committed, Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five, (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two percentum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments.

Mr. KLEIN on behalf of Mr. BARR, from the Committee on Local Government, reported as amended, House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

Mr. WOODRING, from the Committee on Local Government, reported as committed, Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security.

He also, from the Committee on Local Government, reported as amended, House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act, approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," including towns and townships within its provisions; providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities, townships, towns, and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

Mr. RAHAUSER, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select, procure, award, and provide for the furnishing of certain service medals.

Mr. TARR, from the Committee on Military Affairs and Aeronautics, reported as committed, Senate Bill No. 533, entitled:

An Act to amend the title and act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by extending the provisions of the act to retention in public positions or on public works in certain cases.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. KEPHART from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency the Governor, which were laid over for one day under the rules.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate W. C. Minter, R. D. No. 1, Claysville, Washington County, for appointment as Justice of the Peace in and for the Township of Buffalo, Washington County, until the first Monday of January, 1948, vice John S. Wright, deceased.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Charles D. Hughes, 838 Hurton Street, Dale, Johnstown, Cambria County, as Justice of the Peace in and for the Borough of Dale, Cambria County, until the first Monday of January, 1948, vice Charles H. Berkebile, resigned.

Roger B. Stevens, Pine Creek Lodge, Gaines, Tioga County, as Justice of the Peace in and for the Township of Gaines, Tioga County, until the first Monday of January, 1948, to fill a vacancy.

JAMES H. DUFF.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 7, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

ALDERMAN

George A. Painter, 1420 Northampton Street, Easton, Northampton County, as Alderman in and for the Eighth Ward of the City of Easton, Northampton County, until the first Monday of January, 1948, vice Leon S. Parr, resigned.

JUSTICE OF THE PEACE

Pete Russo, 114 Lloyd Avenue, Latrobe, Westmoreland County, as Justice of the Peace in and for the Borough of Latrobe, Westmoreland County, until the first Monday of January, 1948, vice Frank J. Schisler, deceased.

JAMES H. DUFF.

MEMBERS OF THE STATE BOARD OF PUBLIC ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of the State Board of Public Assistance:

James J. Knoud, 2512 South 22nd Street, Philadelphia, Philadelphia County, until the third Tuesday of January, 1952. (Reappointment)

Frank A. Robbins, Jr., Parkway Apartments, Harrisburg, Dauphin County, until the third Tuesday of January, 1952. (Reappointment)

Hon. George T. Spang, 729 Cumberland Street, Lebanon, Lebanon County, from December 18, 1945, until

the third Tuesday of January 1951, and until his successor is appointed and qualified.

Mrs. Elizabeth Conner Hensyl, 401 East 2nd Street, Berwick, Columbia County, until the third Tuesday of January, 1953, and until her successor is appointed and qualified. (Reappointment)

Mrs. Selma J. Gollmar, 158 Highland Avenue, West View, Allegheny County, until the third Tuesday of January, 1953, and until her successor is appointed and qualified. (Reappointment)

Hon. Samuel Y. Ramage III, East 9th Street, Woodland Heights, Oil City, Venango County, from December 18, 1945, until the third Tuesday of January, 1951, and until his successor is appointed and qualified.

JAMES H. DUFF.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 803, entitled:

An Act to further amend subsection (a) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the retirement of professional employees.

Which was committed to the Committee on Education.

Mr. SCARLETT read in his place and presented to the Chair Senate Bill No. 804, entitled:

An Act to further amend section four hundred forty-four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending, and consolidating the laws relating thereto," increasing maximum appropriation which may be made for agricultural extension work.

Which was committed to the Committee on Local Government.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 805, entitled:

An Act establishing a certain section of public road in the County of Cambria as a State highway, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 806, entitled:

An Act to further amend the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," adding a new route in Cambria County.

Which was committed to the Committee on Highways.

Mr. WAGNER read in his place and presented to the Chair Senate Bill No. 807, entitled:

An Act to amend Section 7 of the Act approved the 16th day of May, A. D. 1940 (P. L. 949), entitled "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by adding sub-section (d) thereto, providing for salaries for appointed members of the Commission.

Which was committed to the Committee on State Government.

Mr. DENT. Mr. President, in introducing this bill on behalf of Senators Holland, Barr, Snowden, Walker and myself, I wish to make a very short statement.

Mr. President, sometimes during the rush in the last days of a session, we completely forget some item that must be taken care of. It was called to my attention this morning, by many telegrams and letters from hospitals in my district, that Public Law No. 725 sets up a hospital survey in the United States and that is coupled with a one hundred million dollar appropriation of federal funds, to be used for construction and extension of hospital facilities in the various states and that Pennsylvania must enact some law to put us in line to receive for our hospitals of Pennsylvania some of this money. In order that we can place our hospitals in the position of receiving federal funds under Public Law No. 725, I present to the Chair at this time this bill, and ask, if possible, that the committee that receives this bill give it early consideration in order that we may get it through.

Messrs. DENT, HOLLAND, BARR, SNOWDEN and WALKER read in place and presented to the Chair Senate Bill No. 808, entitled:

An Act to provide for an inventory of existing hospitals, for a survey of the need for additional hospital facilities, and for the development and administration of a hospital construction program which will, in conjunction with existing facilities, afford hospitals adequate to serve all people of the State; and appropriating money, establishing methods of administration and control, providing for compliance with the requirements of the Federal Hospital Survey and Construction Act and regulations thereunder, authorizing the acceptance and ex-

penditure of Federal funds in accordance with such requirements.

Which was committed to the Committee on Public Health and Welfare.

Messrs. LANE and HOLLAND read in place and presented to the Chair Senate Bill No. 809, entitled:

An Act to amend subsection (g) of section two and section three of the act, approved the eighteenth day of May, one thousand nine hundred thirty-seven (P. L. 654), entitled "An act to provide for the safety and to protect the health and morals of persons while employed; prescribing certain regulations and restrictions concerning places where persons are employed, and the equipment, apparatus, devices and machinery used therein; prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act; and fixing penalties," requiring certain buildings to have safety devices for the use of window cleaners and to have their windows washed at stated intervals.

Which was committed to the Committee on Public Health and Welfare.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 810, entitled:

An Act to further amend sections three, four and five of the act approved the seventh day of May, one thousand nine hundred twenty-three (P. L. 158), entitled "An act creating a Legislative Reference Bureau; providing for the election of a director by the General Assembly; designating the officers and employes of such bureau, defining their duties; fixing their salaries; abolishing the present Legislative Reference Bureau; and making an appropriation," further defining the powers of the director with respect to the employes of the Bureau, and increasing the director's salary.

Which was committed to the Committee on State Government.

SENATE CONCURRENT RESOLUTION

JOINT STATE GOVERNMENT COMMISSION WITH THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION TO SURVEY ALL HISTORIC BUILDINGS AND SITES AND ARCHAEOLOGICAL SITES

Messrs. STIEFEL, CHAPMAN, RUTH, DISILVESTRO, BLASS and LLOYD H. WOOD, offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 27, 1947.

Whereas, the historic buildings and sites which constitute the tangible remains of Pennsylvania's rich and inspiring historic past are at the present time in constant danger of destruction as a result of modern progress and its concomitant expansion of residential and business buildings developments embracing wider and wider areas, and

Whereas, many significant buildings or sites in Pennsylvania have already been destroyed, deformed or misused, not through any deliberate intention or malevolent design to wipe out the landmarks of the Commonwealth's proud history, but through mere unawareness of their value and importance, and

Whereas, all historic buildings and sites throughout Pennsylvania are of inestimable educational and civic value and thus ought to be preserved for the benefit of present and future citizens of the Commonwealth, and

Whereas, no agency of the Commonwealth is presently empowered or directed to take steps for the protection and

preservation of historic buildings and sites without prior authorization given in each case by the General Assembly, New Therefore Be It:

Resolved; (if the House concur) That the General Assembly of the Commonwealth of Pennsylvania hereby instruct the Joint State Government Commission with the cooperation of the Pennsylvania Historical and Museum Commission, to make a survey and prepare a list of all the historic buildings and sites and archaeological sites which it deems to be of distinctive significance and value to the history or archaeology of this Commonwealth, and to report this list to the General Assembly at its next regular session with recommendations for appropriate legislation to assure the safety and preservation of such buildings and sites; and be it further

Resolved, That the General Assembly hereby authorizes the Joint State Government Committee, with the advice and cooperation of the Pennsylvania Historical and Museum Commission, to declare any historic building or site or any archaeological sites to be of distinctive significance and value to the history or archaeology of this Commonwealth; and urgently requests any person or persons owning or having custody of a building or site which the Joint State Government Committee has so declared to be of distinctive significance and value not to sell or destroy such building or site until the General Assembly at its next regular session has had an opportunity to take appropriate action.

Ordered, That the Clerk present same to the House of Representatives for concurrence.

CALENDAR

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 428, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis.

On the question,

Shall the bill pass finally?

RECONSIDERATION OF SENATE BILL No. 428

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 428, passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted with the majority.

Mr. TALLMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. TALLMAN. Mr. President, I voted with the majority.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HEYBURN. Mr. President, I ask unanimous consent to make an amendment to this bill, merely changing the effective date.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 3, page 4, line 12, by striking out the word "January" and inserting in lieu thereof "April."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

THIRD READING CALENDAR

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 102, as follows:

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle and making an appropriation

Whereas The State Emergency Relief Board entered into contracts with the owners of certain abbatoirs to slaughter drought cattle which contracts required certain owners to expend large sums of money in making improvements to comply with Federal inspections before slaughtering could be commenced and

Whereas In some cases by the time these improvements were completed the shipment of cattle had ceased and the owners making these improvements lost large sums of moneys therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Assistance having taken over the powers and duties of the State Emergency Relief Board and the liquidation of the said board under the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby empowered to adjust and settle any and all legal or moral claims which

the owners of abbatoirs may have against the Commonwealth by reason of contracts entered into with the State Emergency Relief Board for the slaughtering of cattle necessitating extensive improvements which represent a loss to the owner because of the cessation of the shipment of cattle for slaughter of said abbatoirs The Department of Public Assistance shall in the settlement and adjustment of said claims determine the cost of the improvements made in the case of each such abbatoir and the actual value thereof to the owner in the ordinary course of his business and shall equitably adjust and settle claims for such sums as in the opinion of the board represents the costs of the improvements made by an owner which are of no substantial benefit to the owner in the ordinary course of his business and the cost of which was not recovered from profits made on the slaughter of cattle under the terms of such contracts

Section 2 The sum of fifteen thousand dollars (\$15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of claims allowed against the Commonwealth by the Department of Public Assistance under the provisions of this act Payment from said appropriation shall be made on requisition of the Secretary of the Department of Public Assistance in the manner provided by law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska	Mahany,	Tyler,
Blase,	Hare,	Mallery,	Wade,
Carr,	Heyburn	Rahausen,	Wagner,
Crider,	Holland	Rosenfeld,	Walker,
Crowe,	Homsher	Ruth,	Watson,
Dent,	Jaspan	Scarlett,	Wilson,
DISilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
Farrell,	Leader,	Tallman,	Woodring,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 426, on third reading, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof.

go over in its order.

The PRESIDENT. Is there objections? The Chair hears none.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. SNOWDEN. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 2, line 13, by inserting after the word "societies" and before the word "for", the following: "and association of individuals"; Amend Section 2, page 5, line 1, by inserting at the end thereof, after the word "county", the following: "or if no such incorporated society exists in a county then to an unincorporated association of individuals whose purpose is prevention of cruelty to animals"; Amend Section 2, page 5, line 2, by inserting after the word "society", and before the word "setting", the following: "or association"; Amend Section 2, page 5, line 4, by inserting after the word "society", and before the word "shall", the following: "or association"; Amend Section 2, page 5, line 6, by inserting after the word "society", and before the word "before", the following: "or association"; Amend Section 2, page 5, line 10, by inserting after the word "society", and before the word "receiving", the following: "or association"; Amend Section 2, page 5, line 18, by inserting after the word "society", and before the word "from", the following: "or association".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 477, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 478, on third reading, entitled:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 546, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals and the record of magistrates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 603, as follows:

An Act establishing certain sections of road over State-owned lands as State Highways and providing for the construction and maintenance at the expense of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sections of road over State-owned lands shall be adopted by the Commonwealth as State Highways to be constructed and maintained at the expense of the Commonwealth under the provisions of present or future laws governing State highways

Beginning at a point at the intersection of the Mt Alto Sanatorium-Calendonia Road and the Sanatorium-Mt Alto Borough Road about 0.6 of a mile south of the Sanatorium Sewage Treatment Plant thence in a southeasterly direction through Guilford and Quincy Townships to a point at the beginning of Route 28022 in Franklin County a distance of 0.85 of a mile

Beginning at a point at the eastern terminus of Application 5503 about 1.5 miles east of the Borough of Mt Alto thence in a northeasterly direction through Quincy Guilford and Greene Townships to a point on the Franklin-Adams County line about 0.6 of a mile northeast of the intersection with Route 43 in Franklin County a distance of 8.6 miles

Beginning at a point on the Franklin-Adams County line about 0.6 of a mile northeast of the intersection with Route 43 thence in a northeasterly direction through Franklin and Menallen Townships to a point on the Adams-Cumberland County line about 3.8 miles southwest of the village of Pine Grove in Adams County a distance of 9.2 miles

Beginning at a point on the Adams-Cumberland County line about 3.8 miles southwest of the village of Pine Grove thence in a north easterly direction through Southampton South Newton and Cook Township to the intersection with Routes 21004 and 21005 at the village of Pine Grove in Cumberland County a distance of 3.8 miles

Section 2 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 615, as follows:

An Act making provisions for community property law providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act defining separate property and the com-

munity property of the husband and wife providing for the management control and disposition thereof including the homestead defining the ownership of funds on deposit in any bank or banking institution providing for the rights and remedies of creditors providing that either spouse may give or convey his or her community property to the other providing for disposition of community property on dissolution of marriage providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management control and disposition of community property providing for the administration and distribution of the interests of a deceased spouse in community property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All property of the husband both real and personal owned or claimed by him before marriage or before the effective date of this act whichever is later and that acquired afterwards by gift devise or descent or received as compensation for personal injuries shall be his separate property

Section 2 All property of the wife both real and personal owned or claimed by her before marriage or before the effective date of this act which ever is later and that acquired afterwards by gift devise or descent or received as compensation for personal injuries shall be her separate property

Section 3 All property acquired by either the husband or wife during marriage and after the effective date of this act except that which is the separate property of either as hereinabove defined shall be deemed the community or common property of the husband and wife and each shall be vested with an undivided one-half interest therein and all the effects which the husband and wife possess at the time the marriage may be dissolved shall be regarded as common effects or gains unless the contrary be satisfactorily proved

Section 4 The wife shall have the management and control and may dispose of her separate property and that portion of the common or community property consisting of her earnings all rents interest dividends and other income from her separate property and all other common or community property the title to which stands in her name The husband shall have the management and control and may dispose of his separate property and all community property the management control and disposition of which is not conferred upon the wife hereby

Section 5 All real estate whether the separate property of the husband or wife or the community or common property of both shall not be sold encumbered or otherwise disposed of except in the manner provided by law prior to the effective date of this act

Section 6 Any funds on deposit in any bank or banking institution whether in the name of the husband or wife shall be presumed to be the separate property of the party in whose name they stand regardless of who made the deposit and unless said bank or banking institution is notified to the contrary it shall be governed accordingly in honoring checks and orders against such account

Section 7 That portion of the community property under the management control and disposition of the wife or which stands in her name shall be liable for debts contracted by the wife and for torts of the wife committed in the course of acquiring holding or managing such community property but not otherwise That portion of the community property which is under the management control and disposition of the husband shall be liable for debts contracted by the husband and for torts of the husband committed in the course of acquiring managing holding or disposing of the community property but not otherwise The husband and wife and each of them shall be entitled to the exemptions to which they or either of them are entitled under existing laws All debts created by the husband or wife after marriage or after the effective date of this act which ever is later shall be regarded

as community debts unless the contrary be satisfactorily proved

Section 8 No creditor shall have recourse to the community property for the payment of debts or liabilities created by either the husband or the wife except as provided in section seven of this act Provided however That any creditor may satisfy his claim or demand out of the community property which was under the management control and disposition of the spouse incurring the indebtedness or liability at the time the debt or liability was contracted or created and which has been subsequently conveyed or transferred to the other spouse and is under the management control and disposition of said other spouse without proof that said creditor relied upon said community property in advancing said credit but without prejudice to the rights of the third party purchasers encumbrancers or other creditors or grantees and provided further that the husband or wife on paying community debts shall as between themselves charge the same against community property

Section 9 The husband may give grant bargain sell or convey directly to his wife and a wife may give grant bargain sell or convey directly to her husband his or her community property in esse Every deed and conveyance made from the husband to the wife or from the wife to the husband shall operate to divest the property therein described of every claim or demand as community property to the extendt herein provided and shall vest the same in the grantee as the separate property of the grantee Provided however That the deeds conveyances or transfers hereby authorized shall not affect any existing equity in favor or creditors of the grantor at the time of such transfer gift or encumbrance

Section 10 In the event of the dissolution of marriage by decree of any court of competent jurisdiction the husband and wife shall each be vested with an undivided one-half interest in the community property as tenants in common but nothing herein shall prevent the court from having the same powers with respect to said property as to other property of either the husband or wife

Section 11 Whenever the husband or the wife is non composmentis or has been convicted of a felony or sentenced to imprisonment for a period of more than one year or whenever the husband has abandoned his wife and family and left her and his family if they have children without support or whenever the husband or the wife is an habitual drunkard or for any other reason is incapacitated to manage control or dispose of the community property the other spouse may present a petition duly verified to the court of quarter sessions of the county wherein they reside or if they are non-residents wherein any of the community property is located or situated stating the name of the incapacitated spouse a description of all community property both real and personal and the facts which render the other spouse incapacitated to manage control or dispose of the community property and praying that the spouse filing the petition be substituted for the incapacitated spouse as to the management control or disposition of the community property then under the management control and disposition of said spouse with the same power of managing controlling and disposing of the community property as was vested in the incapacitated spouse

Section 12 In all such cases services of process shall be had as in other civil actions

Section 13 Upon the hearing of the petition so filed the court shall render judgment therein either dismissing said petition or adjudging the spouse filing same to have such power of managing controlling and disposing of the community property either real or personal formerly under the management control and disposition of the other spouse as to the court may appear to be just proper equitable and to the best interests of said estate

Section 14 All judgments rendered as in the preceding section provided shall be recorded in the office of the clerk of the court of the county where said property

affected thereby is situated and such judgment when so rendered shall be notice of the facts therein set out

Section 15 Upon the death of the husband or the wife the surviving spouse shall administer all community property in the same manner and with the same duties privileges and authority as are vested in a surviving partner to administer and settle the affairs of a partnership upon the death of the other partner Provided That the surviving husband or wife shall not be disqualified from acting as executor or administrator of the estate of the deceased husband or wife And provided further That the survivor of the husband or wife shall pay out of the community property except the homestead and exempt property all debts of the community whether created by the husband or the wife And provided further That when all debts of the community shall have been fully satisfied the survivor shall transfer and convey to the administrator or executor of the deceased one-half of the community property remaining to be administered and distributed as other property of the estate either subject to the terms of the will of the deceased or under the laws of descent and distribution as the case may be and thereafter all the interest of the surviving partner in said community property shall be that of a tenant in common And provided further That any interest in a homestead so conveyed shall not be subject to administration under the laws of this State except in the manner provided by law at the time of the effective date of this act

Section 16 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time,
And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, this is a very important piece of legislation. There are some arguments advanced by some people that this bill ought to be passed, because in nine other states of the union they have the so-called split tax on community property, and they can take advantage of that and divide the income earned by the head of the family and divide it between the husband and wife, and therefore reduce the initial tax paid to the government.

Mr. President, the fact that nine states have such a law does not alter the position that we find ourselves in.

I believe that the federal government taxes because it needs money to operate the government. I believe that the state of Pennsylvania taxes for the same purpose. If we go about cutting away at the federal taxes by devices such as this there can be no other alternative except a general raise in taxes by the federal government.

Just as a matter of information to the members of the Senate, let us just see what this bill will do. It is argued that this bill will save money for ordinary people, persons with incomes in the lower brackets. It does that, Mr. President, but that, like every other measure that is advanced on the proposition that it does help the small people, usually gives a great deal more aid and comfort to those less in need of aid and comfort.

For instance, if this community property bill passes in the Commonwealth of Pennsylvania, this is what would happen to a family that has a \$3,000 a year income: On \$3,000 a year, a couple without dependents, on a community property basis would pay \$266 as compared with \$304, or a saving of \$38.

At \$20,000 a year, if this bill passes on a split tax

basis, that couple would pay \$3,754 as against \$5,114, or a savings in tax to that couple of \$1,360 a year.

Now we step into the \$50,000 a year class and we find that under the features of this bill a couple would pay a tax of approximately \$14,979 as against \$19,836, or a difference of \$4,857, which makes that couple save in federal taxes \$4,829 more than the family that has a \$3,000 income.

If we step into the bracket where the surtax on the net income is above \$200,000, for example, it is now 86.45 per cent, but under this bill a man and wife with a \$1,000,000 income would each have \$300,000 in the top bracket, making \$600,000 altogether in the top bracket, as against \$800,000 in income without the features of this bill.

Some of you may say, why deny to the people of Pennsylvania advantages that are being taken by other states. That is true. Originally in the United States we had three so-called community property states. Those community property states were based upon the fact that the early settlers of those states belonged to the Catholic Church, and the Catholic Church has always maintained a community property basis and therefore when the founders instituted their tax program and their intestate laws, they provided for such a basis.

In later years somebody devised the very peculiar strategy of adopting the same type of basic legislation, because a state that passed this tax saved its citizens a certain amount of federal money. That is eminently unfair to the rest of the states of the nation and to the citizens of the rest of the states, because they pay a full measure of tax while those who are in on this feature will pay a great deal less in taxes.

There may be some justification—and I am not going to go into the merits or demerits of the community property plan based upon a federal law—I believe that if this legislation must come and I believe honestly too that it will come, but it must come on a federal basis in order that the reduced taxes that are being given to certain citizens of certain states will not cause citizens of other states to pay a greater measure of taxes, because the federal government will of necessity have to raise the tax level. You can not get away from that. It happened here and it happens in any legislative body, that when a tax is eliminated or reduced, a new tax must be found or the rates must be increased. I do not believe that Pennsylvania, one of the keystone states—the Keystone State of the Union—ought to step into this picture at this time. There is a controversy in Washington, and I might say to you that a great deal of sentiment has been expressed for the passage of a federal bill. We can not keep slicing at federal income and demand more federal services for the state, and yet hope to have federal tax reductions.

Peculiarly, at this time we find the Republican majority in Congress crying for a tax reduction, politically, and they are trying, of course, to impress the people with the fact that they are economy minded. However, that is not borne out in their record in the various states. We find that the state of Pennsylvania does not go along with the same philosophy that is being exemplified in Washington by the national Republican party, in that it is for a tax reduction and reduced governmental ex-

penditures, whereas we have increased taxes in Pennsylvania, we are increasing the administrative costs in Pennsylvania in every department, and now we are saying to those men who are trying to cut taxes in Washington that we are going to reduce the income you would receive under the present laws.

I say to you this is bad legislation coming from a state such as Pennsylvania. Remember that when the members of a family sit down at the table, every member of that family should be able to hold his head up. Pennsylvania, when it sits down with its sister states, must be proud of the type of legislative action that it takes. I say that it very bad and comes, as the gentleman from Lehigh so often says, in bad grace, for a state which at this time is raising taxes and increasing appropriations, and yet denying your own colleagues in Washington the right to do what they are trying to do in the way of tax reductions.

If and when the federal government passes this legislation, we will be in a position to take advantage of it, but we have no business at this time passing community property legislation, especially when you consider how it works in conjunction with our intestate laws. Under our present laws, as I understand them, a widow is entitled to one-third of an inheritance but if this bill is passed that widow will be entitled to one-third of the inheritance plus fifty per cent which she will own automatically under the community property bill, giving her approximately two-thirds of the property. Some of us feel there are conditions that arise where a person may find himself in a position where his children should receive at least their share under our present intestate laws.

I say there has not been enough thinking about the consequences of this legislation in the mad desire and scramble to save a few dollars at the present time and I want to say to those of you in the higher income groups that you are not doing any particular favor or giving any particular favor to the lower income families. The lower income families comprise one group that would get no benefit from the provisions of this bill. The same tax would apply to incomes of \$2,000 and below. A family having an income of \$2,000 would pay the same tax, whether it is divided between the husband and wife or not.

That is a very serious thought. We must not do at this time anything that will further increase the unrest, the confusion and the distress on the part of the people working in the mills, under this present administration. We must not do that because our whole future and the welfare of our entire nation depends upon a harmonious state existing between capital and labor, and this is a further drive to take away from labor some of its gains, because you give it nothing and reduce the tax for the large income brackets as much, in some instances, as thirty per cent. If this money must then be made up by additional taxes, you will find that it will be done by an additional raise in the base rate, which in turn will do exactly what I am fearful of, that is, increase the low income group taxes. I do not believe any member of this body that is in the high income tax group would want to have his own tax reduced at the expense of those less able to pay.

I am going to ask that those who can see it my way vote this legislation down at this time.

Mr. LORD. Mr. President, having been the sponsor of this bill, I would like to answer my colleague from Westmoreland as to some of the statements he has made with respect to what will happen in the event, as I hope it will, this bill becomes a law in Pennsylvania.

I do not see why any member of this Senate wants to discriminate in favor of the citizens of California, Arizona, Texas, Louisiana, New Mexico, Washington, Nevada, Idaho, Oklahoma, and, on July 5, 1947, Oregon.

As I followed the arguments of the Senator from Westmoreland, he believes that we ought not pass this community property bill, but we ought to allow the citizens of those favored states to take advantage of all the citizens of Pennsylvania and have our citizens continue to pay income taxes in increased amounts over what they have to pay.

I mean this, Mr. President: I mean that it seems to me that we in the Senate of Pennsylvania must think of all the citizens of Pennsylvania. Whether a man makes a lot of money or whether he is not favored, by nature or endowment or otherwise and does not make a lot of money, he is still a citizen of Pennsylvania and he is still entitled to the consideration of every member of this Senate and if we in the Senate can benefit or better the conditions of any of our citizens, whether he be rich or poor, it is our duty to do that for him.

Mr. President, I say this to you, that naturally if a man makes \$10,000 a year he has greater burdens than a man that makes \$500 a year, he has to pay more taxes, and if by reason of this community property bill, we can save him taxes, it is our duty to do it.

Mr. President, why should we have our citizens pay to the United States government \$200,000,000 more than they would otherwise have to pay if everyone of the forty-eight states in the Union enjoyed the same benefits that the citizens of those favored states enjoy at the present time.

In other words, we would be bound to benefit because of the fact that over \$200,000,000 is saved by those citizens which otherwise would be collected by the Collector of Internal Revenue in Washington and would be spread over the entire country including Pennsylvania.

Of course we realize that the federal government will have to take some steps to correct this situation, which it should have done before this time. Before this bill was introduced, Mr. President, I endeavored to ascertain whether any law would be passed by the federal government, and I am sure no such law will be passed. It was attempted in 1941 but nothing has been done since.

Just last Saturday in the Saturday Evening Post there appeared an article, a copy of which I hold in my hand. The matter deserves such attention that they have carried this article entitled "How nine states beat the income tax" and this article says "simply because they live in lucky states—and are good to their wives—thousands of favored citizens get a sweet reduction in the income tax." The Senator from Westmoreland argued that this bill ought not be passed because it benefits the wealthy man more than to the extent that it benefits the man who does not make as much money.

I say to you, Mr. President, and I repeat, that we ought

to consider every citizen of Pennsylvania. To me there is no question in my mind but that this bill should be passed, because otherwise we in Pennsylvania are paying in income taxes large amounts of money that otherwise we would not have to pay.

The purpose of this bill, and the only reason for it, is that there be an equalization, that ratably and equally the federal income tax be assessed against all the citizens of the state of Pennsylvania, in the same manner they are now assessed against the citizens of California, Oklahoma and the other states I have mentioned, the states as mentioned in this article. That is the real purpose.

In addition to that Mr. President it does not affect our present law. A man's income, where should it go? It should go to his wife and his family. Under this law a lot of consideration, may I say to the gentleman from Westmoreland, has been given by the Committee on Judiciary General, a sub-committee, and by many of the lawyers in this Senate with respect to the various forms of acts that have been introduced throughout the country, and we all feel that it will have the effect of keeping families together, by distributing the income between husband and wife, where it belongs, and in addition to that every five years—realize this, Mr. President, under this bill every five years every citizen of Pennsylvania will get a sabbatical leave from the payment of federal income tax. That is the way it work out.

It seems to me, Mr. President, that this bill should be passed, and I think it should become law in Pennsylvania because it will benefit every one of the citizens of this state.

Mr. DENT. Mr. President, I said that the lower income groups would not receive any benefit. You must earn \$3,000 a year before this bill becomes beneficial to you, and then only in the amount of \$38.

I wonder how many members of this Senate know how many citizens of Pennsylvania are in the income group earning less than \$3,000 a year in normal times in this Commonwealth. This bill will benefit approximately one out of every ten persons. The percentage ratio is that approximately ninety-three per cent of the families in Pennsylvania would receive no benefit whatsoever from this bill, but they will receive a penalty because this money must be made up somewhere and the federal government will put through another set of excise taxes or an increase in the base rate of the income tax. Therefore, the groups which receive no benefits will pay a higher income tax in the end, in order that those in the high income brackets will receive the benefits under this bill.

I said that this bill should be considered on a nationwide basis, and I will tell you why I said that, because before the Federal Congress today there are two proposals, one that considers the community property base of taxation, identical to what this bill is, and the other is a proposal by Senator Lucas of Illinois, who proposes that the federal exemption be raised from \$500 to \$600 and two per cent reduction in the basic tax. If that is done we will remove from the tax rolls approximately twelve and a half million families in the low income tax group, low income producers.

In order that this bill can be placed upon an equitable basis, it must come from the source of taxation. The

federal government passes the federal income tax laws and we can not amend them. We can not in justice give to the citizens of Pennsylvania, which the Senator from Philadelphia wants to try to help, and I know he is sincere, but we can not help ninety per cent of the people of the Commonwealth who are in the income producing brackets below \$3,000 a year, because we have no right to amend the requirements of the federal law. So if this legislation is sound—and I am not arguing that it is not sound, I can see many advantages to the split income provision, I can see putting a married man on the same basis as a single man—the man that gives more to the community is the married man with a family, and he should have every advantage that can be give to him under the law.

And therefore, I say that this bill must emanate from the Federal Congress because they control the legislation that imposes the tax burden.

We here in Pennsylvania are not being fair to the ninety per cent of people who are in the lower income brackets. Very fortunately I would benefit from this bill, but I would not consider myself in an honorable position by voting to reduce my own taxes when, by the same token, I know that eventually and inevitably I will increase the taxes of my neighbor who is not in such a fortunate position.

Mr. JASPAN. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator Lord.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogaed?

Mr. LORD. I will, Mr. President.

Mr. JASPAN. Senator Lord, how much will be saved to the taxpayers of the state of Pennsylvania under this bill? Does the gentleman from Philadelphia have any idea as to that amount?

Mr. LORD. Mr. President, in reply to the interrogation of the gentleman from Philadelphia, Senator Jaspán, various amounts have been stated to me. I do know that Pennsylvania is one of the largest payers of income taxes into the federal government in the county. I was informed today that that saving will be approximately \$100,000,000 in income taxes, because of the vast income in Pennsylvania. Necessarily, that must be a guess.

Mr. JASPAN. Mr. President, how is that money to be made up in the federal budget, that \$100,000,000 the gentleman from Philadelphia mentions?

Mr. LORD. Of course, Mr. President, that money will have to be made up by the federal government.

Mr. JASPAN. In what manner?

Mr. LORD. In making a change and assessing, as I said, equally and ratably, every citizen of the United States. It has been said here that ninety per cent of the people would not benefit if this bill would pass. However, Mr. President, they would all benefit, because if all the states were assessed in the same manner, the federal government would get \$200,000,000 more in the treasury, a portion of which would come into Pennsylvania.

Mr. JASPAN. In other words, Mr. President, it will have either to be through additional taxation or assessments against the citizens, if I understand correctly the gentleman from Philadelphia.

Mr. LORD. No, Mr. President, the taxes would still be

the same, but the federal government would have to have the rates apply to everybody in an equal manner.

Mr. JASPAN. Mr. President, somebody will have to pay the taxes, is that correct, in order to make up that \$100,000,000?

Mr. LORD. There is no question, Mr. President, that the same people would pay the taxes, but in a different manner.

Mr. JASPAN. But, Mr. President, they would have to pay additional taxes, is that correct, to make up that \$100,000,000?

Mr. LORD. It is not an additional tax, as they would pay less taxes in Pennsylvania.

Mr. JASPAN. \$100,000,000 less; is that right?

Mr. LORD. That is right, Mr. President.

Mr. JASPAN. How is that to be made up in the federal budget? They have a budget yearly, Senator Lord, is that correct, and if you deduct \$100,000,000 from that budget, how is that to be made up?

Mr. LORD. Well, Mr. President, of course, as the Senator from Philadelphia knows, the United States Congress will have to make up the tax the same way that any taxing body does.

Mr. JASPAN. Mr. President, frankly, the answers as given by the gentleman from Philadelphia are not altogether sufficient, as we will have to pay taxes in another fashion. I am going to vote against this bill for one reason, because it is legalizing a method of beating the United States.

Mr. BARR. Mr. President, I am speaking now as the people's lawyer. There was a Congressman from Pennsylvania—I think his name was Rich—who used to get up in Congress every day and say "Where are you going to get the money?" I would like him to be here today and have Senator Jaspán ask him that question.

I want to tell the gentleman on the other side I will be greatly disappointed if they do not pass this bill, because I think it is just another nail in the Republican coffin, and I want to call their attention to the election in Chicago to the election in Baltimore and to election just the other day in Charlestown, West Virginia.

Mr. WADE. Mr. President and my Colleagues, I think it should be stated on the record that the real purpose of this bill is as my colleague from Philadelphia, Senator Lord, has so well explained.

I do not particularly like the argument of the gentleman from Westmoreland, Senator Dent, when he says "if this bill is sound, and I am not arguing that it is not sound"—in other words his admission is that this is a sound piece of legislation for the people of Pennsylvania.

The situation is, and I repeat, that nine states fortunately are in the category under their statutes that their taxpayers are permitted to take a certain tax exemption legally, which enables them to save \$200,000,000 on their income tax bill. Of course we admit that would go to reduce federal revenues by that much, but again I say, Mr. President, that it is only fair and right that the entire tax bill be distributed equally among all of the forty-eight states of the Union and it is our duty as legislators for the Commonwealth of Pennsylvania, and as representatives of the 9,900,000 people who reside in Pennsylvania, to see that those people get their share of any tax advantages that are to be had.

The gentleman from Westmoreland brings up the problem that this will benefit only those who make a certain amount of income, or over, but I say to the gentleman from Westmoreland that is entirely false and incorrect. This applies to every taxpayer in the state of Pennsylvania who is required to pay an income tax. It spreads all the way over. His statement is in the category of many statements that are made, idly and easily by people who say ten per cent of the people of America own ninety per cent of the property. Those things can not be proved. We do know that in the nine states, which now have a community property law, the taxpayers residing there are able to lighten their tax burdens for federal purpose in the amount of \$200,000,000. According to the 1940 census, as published in the 1945 Pennsylvania Manuel, the population of those nine states, Arizona, Texas, Louisiana, California, New Mexico, Washington, Nevada, Idaho and Oklahoma, is 19,088,481 people. More than half that number of people reside in the state of Pennsylvania—to be exact, 9,900,108. If the people residing in those nine states save \$200,000,000, certainly our people in Pennsylvania, where we are a little more enterprising, perhaps, than in those states, and have developed our industries to the extent that our incomes are higher and our standard of living is higher, it is only reasonable to believe that our taxpayers are entitled to that \$100,000,000 plus that they can save by the enactment of this law.

Mr. President, this is not a party measure. It is a measure for every taxpayer in the State of Pennsylvania and for that reason, Mr. President and my colleagues, we should vote for this bill and be glad of the opportunity of doing so.

Mr. DENT. Mr. President, in answer to the statement made by the gentleman from Cumberland, when he said that nobody could remember figures and make statements about percentages—I am not often called a liar by a roundabout course—back where I come from they talk more directly.

However, in order that we clear the air a little and that we understand each other I want to read from an article which gives specific figures. It reads:

"The privilege of dividing family incomes would bring important tax savings only to some five million families, while there are forty-seven million taxpayers on the federal tax rolls." "Low income families comprise one group that would get no benefit from dividing incomes. The same tax rate applies on all taxable income of \$2,000 and below. Thus, a family paying a tax on \$2,000 would pay the same tax whether income was divided between husband and wife or not." "Actually, splitting of income promises tax savings only to about one out of each ten income taxpayers, with the bulk of the savings going to married persons in the middle income groups.

Mr. President, this article is contained in the "United States News" of May 16, 1947.

I will be glad to give this article to Senator Wade and let him become acquainted with the facts concerning the number of taxpayers, their incomes, and who would be affected by this bill.

I have said before, and I repeat again, that this bill is a bill to benefit the high income groups, as against putting additional taxes upon the low income groups.

And the question recurring.

Will the Senate agree to the bill on third reading?
It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Ruth,	Walker,
Carr,	Hare,	Scarlett,	Watson,
Chapman,	Heyburn,	Snowden,	Willson,
Crowe,	Homsher,	Stevenson,	Wolfe,
DiSilvestro,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Taylor,	Wood, T. N.,
Donlan,	Lord,	Tyler,	

NAYS—14.

Barr,	Holland	Leader,	Stiefel,
Crider,	Jaspan	Rahauser,	Tarr,
Dent,	Klein,	Rosenfeld,	Woodring,
Haluska	Lane,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill of 632, as follows:

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" increasing the minimum and maximum limits of license fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" is hereby amended to read as follows

Section 9 After January first one thousand nine hundred and thirty-eight every person storing or in possession of explosives shall be required to have a license for each magazine used for the storing or placing of explosives which license shall be issued on a form prepared and furnished by the Department of Labor and Industry The application for license shall be accompanied by the proper license fee which shall be prescribed by the department according to the quantity of explosives which are to be stored or placed in the magazine and shall not be less than [two dollars and fifty cents (\$2.50)] three dollars and fifty cents (\$3.50) nor more than [twenty-five (\$25)] thirty-five dollars (\$35) Such license shall be kept posted conspicuously in or about the magazine for which issued Licenses shall expire annually on the thirty-first day of December and shall be renewed annually upon payment of the fee as specified in this section

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 673, on third reading entitled:

An Act to further amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 689, on third reading entitled:

An Act to further amend the act approved the seven-teenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legisla-tion which provided further for the revenue for State purposes" by providing further for the assessment collec-tion and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 690, on third reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 691, on third reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon de-fendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 713, on third reading, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countires in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis providing for its appointment authorizing the employment of neessary assistants prescribing the powers and duties of the comission and making an ap-propriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consid-eration of House Bill No. 759, as follows:

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

The General Assembly of the Commonwealth of Penn-sylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period with-out conferring civil service status upon the appointees" is hereby amended to read as follows

Section 1 That the councils of borouhs incorporated towns and the township commissioners of townships of the first class may fill vacancies or add to the police force during the duration of the war and six months thereafter without regard to the requirements of any civil service act such appointments to terminate six months after the end of the war or sooner if the men displaced are avail-able and request reinstatement (in which case they shall be so reinstated) for duty and shall confer no civil service status upon the appointees except as hereinafter specified

Anyone appointed to fill a vacancy or added to the police force as above provided who has served more than one year under said appointment and the municipality desires to continue his employment and the man displaced is not available or does not request reinstatement for duty shall be eligible for permanent appointment and if ap-pointed shall be entitled to all the benefits of the act ap-proved the fifth day of June one thousand nine hundred forty-one (P. L. 84)

Nothing in this act shall nullify or disturb the civil service status conferred upon police officers appointed prior to the passage of this act through the operation of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. eighty-four)

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Farrell,	Leader,	Tarr,
Becker,	Frazier,	Letzler,	Taylor,
Berger,	Geltz,	Lord,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Holland,	Ruth,	Watson,
Crowe,	Homsher,	Scarlett,	Wilson,
Dent,	Jaspan,	Snowden,	Wolfe,
DiSilvestro,	Kephart,	Stevenson,	Wood, L. H.,
Doehla,	Klein,	Stiefel,	Wood, T. N.,
Donlan,	Lane,	Tallman,	Woodring,

NAYS—1.

Mahany.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 810, as follows:

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions de-

fining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the Act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding to section one thousand eight hundred four subsection (h) as follows

Section 1804 Waters * * * * *

(h) To acquire by purchase lease gift or condemnation with the approval of the Governor such land buildings and appurtenances thereto as in the judgment of the department may be necessary for the construction maintenance improvement or development of any port or harbor in this Commonwealth

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48.

Barr,	Frazier,	Letzler,	Tarr,
Becker,	Geltz,	Lord,	Taylor,
Berger,	Haluska,	Mahany,	Tyler,
Blass,	Hare,	Mallery,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
Farrell,	Leader,	Tallman,	Woodring,

NAYS—1.

Chapman.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 887, as follows:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies associations or exchanges including fidelity surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance to rating and advisory organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive inadequate or unfairly discriminatory to enable authorized insurers to meet all requirements of the insuring public of this Commonwealth and to authorize and regulate cooperative action among insurers in rate making and in other matters within the scope of this act Nothing in this act is intended (1) to prohibit or discourage reasonable competition or (2) to prohibit or encourage uniformity in insurance rates rating systems rating plans or practices This act shall be liberally interpreted to carry into effect its purpose as herein set forth

Section 2 Scope of Act This act applies to all classes and kinds of insurance which may be written by stock or mutual casualty insurance companies associations or exchanges and including fidelity surety and guaranty bonds and all forms of motor vehicle insurance and to title insurance on risks or operations in this Commonwealth except

(a) reinsurance other than joint reinsurance to the extent stated in section eleven

(b) accident and health insurance

(c) insurance against loss of or damage to aircraft or against liability arising out of the ownership maintenance or use of aircraft

(d) workman's compensation insurance

(e) Insurance covering loss in excess of at least ten thousand dollars (\$10,000) from any one event issued to self-insurers as defined in rules and regulations which the insurance commissioner hereinafter referred to as the "Commissioner" shall promulgate where the rate is not made by a rating organization

If any kind of insurance subdivision or combination thereof or type of coverage subject to this act is also subject to regulation by another rate regulatory act of this Commonwealth an insurer to which both acts are otherwise applicable shall file with the commissioner a designation as to which rate regulatory act shall be applicable to it with respect to such kind of insurance subdivision or combination thereof or type of coverage

Section 3 Making of Rates All rates shall be made in accordance with the following provisions

(a) Due consideration shall be given to past and prospective loss experience within and outside this Commonwealth to physical hazards to safety and loss prevention factors to underwriting practice and judgment to the extent appropriate to catastrophe hazards if any to a reasonable margin for underwriting profit and contingencies to dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers to past and prospective expenses both country wide and those specially applicable to this Commonwealth and to all other relevant factors within and outside this Commonwealth

(b) The systems of expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or group of insurers to reflect the requirements of the operating methods of any such insurer or group with respect to any kind of insurance or with respect to any subdivision or combination thereof for which subdivision or combination separate provisions are applicable

(c) Risks may be grouped by classifications for the establishment of rates and minimum premiums Classification rates may be modified to produce rates for individual risks in accordance with rating plans which establish standards for measuring variations in hazards or expense provisions or both Such standards may measure any differences among risks that can be demonstrated to have a probable effect upon losses or expenses

(d) Rates shall not be excessive inadequate or unfairly discriminatory

Section 4 Rate Filings

(a) Every insurer shall file with the commissioner every manual of classifications rules and rates every rating plan and every modification of any of the foregoing

which it proposes to use Every such filing shall state the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated When a filing is not accompanied by the information upon which the insurer supports such filing and the commissioner does not have sufficient information to determine whether such filing meets the requirements of the act he may require such insurer to furnish the information upon which it supports such filing Any filing may be supported by (1) the experience or judgment of the insurer or rating organization making the filing (2) the experience of other insurers or rating organizations or (3) any other factors which the insurer or rating organization deems relevant A filing and any supporting information shall be open to public inspection after the filing becomes effective

(b) An insurer may satisfy its obligation to make such filings by becoming a member of or a subscriber to a licensed rating organization which makes such filings and by authorizing the commissioner to accept such filings on its behalf Provided nothing contained in this act shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization

(c) The commissioner shall review such of the filings as it may be necessary to review in order to carry out the purposes of this act

(d) Subject to the exception specified in subsection (e) of this section each filing shall be on file for a waiting period of thirty (30) days before it becomes effective which period may be extended by the commissioner for an additional period not to exceed thirty (30) days upon written notice within such waiting period to the insurer or rating organization which made the filing Upon written application by such insurer or rating organization the commissioner may authorize a filing or a part thereof which he has reviewed to become effective before the expiration of the waiting period or any extension thereof A filing shall be deemed to meet the requirements of this act and to become effective unless disapproved as herein-after provided by the commissioner within the waiting period or any extension thereof

(e) Any filing with respect to a surety or guaranty bond required by law or by court or executive order or by order rule or regulation of a public body not covered by a previous filing or any filing with respect to a contract or a policy covering any risk or kind of insurance or subdivision thereof for which classification rates not generally exist in the industry or which by reason or rarity or peculiar characteristics does not lend itself to normal classification or rating procedure shall become effective when filed and shall be deemed to meet the requirements of this act

(f) Under such rules and regulations as he shall adopt the commissioner may by written order suspend or modify the requirements of filing as to any kind of insurance subdivision or combination thereof or as to classes of risks the rates for which cannot practicably be filed before they are used Such orders rules and regulations shall be made known to insurers and rating organizations affected thereby The commissioner may make such examination as he may deem advisable to ascertain whether any rates affected by such order meet the standards set forth in subsection (d) of section three

(g) Upon the written consent of the insured stating his reasons therefor filed with and approved by the commissioner a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk The rate shall become effective when such consent is filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(h) Beginning ninety (90) days after the effective date of this act no insurer shall make or issue a contract or policy except in accordance with filings or rates which are in effect for said insurer as provided in this act or in accordance with subsections (f) or (g) of this section

Section 5 Disapproval of Filings

(a) Upon the review at any time by the commissioner of a filing he shall before issuing an order of disapproval

hold a hearing upon not less than ten (10) days' written notice specifying the matters to be considered at such hearing to every insurer and rating organization which made such filing and if after such hearing he finds that such filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respect he finds that it so fails and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective if the filing or a part thereof has become effective under the provisions of section four. Provided however That an insurer or rating organization shall have the right at any time to withdraw a filing or a part thereof subject to the provisions of section seven in the case of a deviation filing. Copies of said order shall be sent to every insurer and rating organization. Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order.

(b) Any person or organization aggrieved with respect to any filing which in effect may make written application to the commissioner for a hearing thereon. Provided however That the insurer or rating organization that made the filing shall not be authorized to proceed under this subsection. Such application shall specify the grounds to be relied upon by the applicant. If the commissioner shall find that the application is made in good faith that the applicant would be so aggrieved if his grounds are established and that such grounds otherwise justify holding such a hearing he shall within thirty (30) days after receipt of such application hold a hearing upon not less than ten (10) days' written notice to the applicant and to every insurer and rating organization which made such filing.

If after such hearing the commissioner finds that the filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respects he finds that such filing or a part thereof fails to meet the requirements of this act and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective. Copies of said order shall be sent to the applicant and to every such insurer and rating organization. Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order.

(c) No filing nor any modification thereof shall be disapproved if the rates in connection therewith meet the requirements of this act.

Section 6 Rating Organizations

(a) A corporation an unincorporated association a partnership or an individual whether located within or outside this Commonwealth may make application to the commissioner for license as a rating organization for such kinds of insurance or subdivisions thereof as are specified in its application and shall file therewith (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws rules and regulations governing the conduct of its business (2) a list of its members and subscribers (3) the name and address of this Commonwealth upon whom notices or orders of the commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization. If the commissioner finds that the applicant is competent trustworthy and otherwise qualified to act as a rating organization and that its constitution articles of agreement or association or certificate of incorporation and its by-laws and regulations governing the conduct of its business conform to the requirements of law he shall issue a license specifying the kinds of insurance or subdivisions thereof for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the commissioner within sixty (60) days of the date of its filing with him. Licenses issued pursuant to this section shall remain in effect for three (3) years unless sooner suspended or revoked by the commissioner. The fee for said license shall be twenty-five dollars (\$25). Licenses issued pursuant to this section may be suspended or revoked by the commissioner after hearing upon notice in the event the rating organization

ceases to meet the requirements of this subsection. Every rating organization shall notify the commissioner promptly of every change in (1) its constitution its articles of agreement or association or its certificate of incorporation and its by-laws rules and regulations governing the conduct of its business (2) its list of members and subscribers and (3) the name and address of the resident of this Commonwealth designated by it upon whom notices or orders of the commissioner or process affecting such rating organization may be served.

(b) Subject to rules and regulations which have been approved by the commissioner as reasonable each rating organization shall permit any insurer not a member to be a subscriber to its rating services for any kind of insurance or subdivision thereof for which it is authorized to act as a rating organization. Notice of proposed changes in such rules and regulations shall be given to subscribers. Each rating organization shall furnish its rating services without discrimination to its members and subscribers. The reasonableness of any rule or regulation in its application to subscribers or the refusal of any rating organization to admit an insurer as a subscriber shall at the request of any subscriber or any such insurer be reviewed by the commissioner at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurer. If the commissioner finds that such rule or regulation is unreasonable in its application to subscribers he shall order that such rule or regulation shall not be applicable to subscribers. If the rating organization fails to grant or reject an insurer's application for subscribership within thirty (30) days after it was made the insurer may request a review by the commissioner as if the application had been rejected. If the commissioner finds that the insurer has been refused admittance to the rating organization as a subscriber without justification he shall order the rating organization to admit the insurer as a subscriber. If he finds that the action of the rating organization was justified he shall make an order affirming its action.

(c) No rating organization shall adopt any rule the effect of which would be to prohibit or regulate the payment of dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers.

(d) Cooperation among rating organizations or among rating organizations and insurers and concert of action among insurers under the same general management and control in rate making or in other matters within the scope of this act is hereby authorized provided the filings resulting therefrom are subject to all the provisions of this act which are applicable to filings generally. The commissioner may review such activities and practices and if after a hearing he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice.

Section 7 Deviations Every member of or subscriber to a rating organization shall adhere to the filings made on its behalf by such organization except that any such insurer may file with the commissioner a uniform percentage decrease or increase to be applied to the premiums produced by the rating system so filed for a kind of insurance or for a class of insurance which is found by the commissioner to be a proper rating unit for the application of such uniform percentage decrease or increase or for a subdivision of a kind of insurance (1) comprised of a group of manual classifications which is treated as a separate unit for rate making purposes or (2) for which separate expense provisions are included in the filings of the rating organization. Such deviation filing shall specify the basis for the modification and shall be accompanied by the data upon which the applicant relies. A copy of the filing and data shall be sent simultaneously to such rating organization. Any such deviation filing shall be on file for a waiting period of thirty (30) days before it

becomes effective unless the commissioner reviews and authorizes the filing to become effective before the expiration of such period and shall be subject to the provisions of section five Each deviation shall be effective for a period of not less than one (1) year from the date such deviation is filed unless terminated sooner with the approval of the commissioner or in accordance with the provisions of section five

Section 8 Appeal by Minority Any member of or subscriber to a rating organization may appeal to the commissioner from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioners shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days or if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its filings he may in the event he finds that such action or decision was unreasonable issue an order directing the rating organization to make an addition to its filings on behalf of its members and subscribers in a manner consistent with his findings within a reasonable time after the issuance of such order Provided However If the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings relating to the character and extent of coverage he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

The Failure of a rating organization to take action or make a decision within thirty days after submission to it of a proposal under this section shall constitute a rejection of such proposal within the meaning of this section

If such appeal is based upon the failure of the rating organization to make a filing on behalf of such member or subscriber which is based on a system of expense provisions which differs in accordance with the right granted in subsection (b) of section three from the system of expense provisions included in a filing made by the rating organization the commissioner shall if he grants the appeal order the rating organization to make the requested filing for use by the appellant In deciding such appeal the commissioner shall apply the standards set forth in section three

Section 9 Information to be Furnished Insureds Hearings and Appeals of Insureds Every rating organization and every insurer which makes its own rates shall within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make furnish to any insured affected by a rate made by it or to the authorized representative of such insured all pertinent information as to such rate

Every rating organization and every insurer which makes its own rates shall provide within this Commonwealth reasonable means whereby any person aggrieved by the application of its rating system may be heard in person or by his authorized representative on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him If the rating organization or insurer fails to grant or reject such request within thirty (30) days after it is made the applicant may proceed in the same manner as if his application had been rejected Any party affected by the action of such rating organizations or such insurer on such request may within thirty (30) days after written notice of such action appeal to the commissioner who after a hearing held upon not less than ten days' written notice of the appellant and to such rating organization or insurer may affirm or reverse such action

Section 10 Advisory Organizations

(a) Every group association or other organization of insurers whether located within or outside this Commonwealth which assists insurers which make their own

filings or rating organizations in rate making by the collection and furnishing of loss or expense statistics or by the submission of recommendations but which does not make filings under this act shall be known as an advisory organization

(b) Every advisory organization shall file with the commissioner (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws rules and regulations governing its activities (2) a list of its members (3) the name and address of a resident of this Commonwealth upon whom notices or orders of the commissioner or process issued at his direction may be served and (4) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of section twelve of this act

(c) If after a hearing the commissioner finds that the furnishing of such information or assistance involves any act or practice which is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such act or practice

(d) No insurer which makes its own filings nor any rating organization shall support its filings by statistics or adopt rate making recommendations furnished to it by an advisory organization which has not complied with this section or with an order of the commissioner involving such statistics or recommendations issued under subsection (c) of this section If the commissioner finds such insurer or rating organization to be in violation of this subsection he may issue an order requiring the discontinuance of such violation

Section 11 Joint Underwriting or Joint Reinsurance

(a) Every group association or other organization of insurers which engages in joint underwriting or joint reinsurance shall be subject to regulation with respect thereto as herein provided subject however with respect to joint underwriting to all provisions of this act and with respect to joint reinsurance to sections twelve and sixteen to twenty-one of this act

(b) If after a hearing the commissioner finds that any activity or practice of any such group association or other organization is an unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice

(c) The provisions of this section shall not apply to the group action of insurers under the same general management and control

Section 12 Examinations The commissioner shall at least once in five (5) years make or cause to be made an examination of each rating organization licensed in this Commonwealth as provided in section six and he may as often as he may deem it expedient make or cause to be made an examination of each advisory organization referred to in section ten and of each group association or other organization referred to in section eleven The reasonable costs of any such examination shall be paid by the rating organization advisory organization or group association or other organization examined upon presentation to it of a detailed account of such costs The officer manager agents and employees of such rating organization advisory organization or group association or other organization may be examined at any time under oath and shall exhibit all books records accounts or agreements governing its method of operation The commissioner shall furnish two copies of the examination report to the organization group or association examined and shall notify such organization group or association that it may within twenty days thereafter request a hearing on said report or on any facts or recommendations therein Before filing any such report for public inspection the commissioner shall grant a hearing to the organization group or association examined The report of any such examination

when filed for public inspection shall be admissible in evidence in any action or proceeding brought by the commissioner against the organization group or association examined or its officers or agents and shall be prima facie evidence of the facts stated therein. The commissioner may withhold the report of any such examination from public inspection for such time as he may deem proper. In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state pursuant to the laws of such state.

Section 13 Rate Administration Authority and Duties of Commissioner Rules and Regulations

(a) Recording and Reporting of Loss and Expense Experience. The commissioner shall promulgate reasonable rules and statistical plans reasonably adapted to each of the rating systems on file with him which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and countrywide expense experience in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in this act. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this Commonwealth and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating such rules and plans the commissioner shall give due consideration to the rating systems on file with him and in order that such rules and plans may be as uniform as is practicable among several states to the rules and to the form of the plans used for such systems in other states. Such rules and plans shall not place an unreasonable burden of expense on any insurer. No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it nor shall any insurer be required to report its experience to any agency of which it is not a member or subscriber. The commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof and such compilations shall be made available subject to reasonable rules promulgated by the commissioner to insurers and rating organizations.

(b) Interchange of Rating Plan Data. Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans.

(c) Consultation with Other States. In order to further uniform administration of rate regulatory laws the commissioner and every insurer and rating organization may exchange information and experience data with insurance supervisory official insurers and rating organizations in other states and may consult with them with respect to rate making and the application of rating systems.

(d) Authority and Duties of Commissioner Rules and Regulations. In addition to any powers hereinbefore expressly enumerated in this act the commissioner shall have full power and authority and it shall be his duty to enforce and carry out by regulations orders or otherwise all and singular the provisions of this act and the full intent thereof. The commissioner may make such reasonable rules and regulations not inconsistent with this act or any amendment thereof as may be necessary or proper in the exercise of his powers or for the performance of his duties under this act.

Section 14 False or Misleading Information. No person or organization shall wilfully withhold information from or knowingly give false or misleading information to the commissioner any statistical agency designated by the commissioner any rating organization or any insurer which will affect the rates or premiums chargeable under this act.

Section 15 Assigned Risks Agreements may be made among insurers with respect to the equitable apportionment among them of insurance which may be afforded

applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurers may agree among themselves on the use of reasonable rate modifications for such insurance such agreement and rate modifications to be subject to the approval of the commissioner.

Section 16 Penalties. The commissioner may if he finds that any person or organization has violated any provision of this act impose a penalty of not more than fifty dollars (\$54) for each such violation but if he finds such violation to be wilful he may impose a penalty of not more than five hundred dollars (\$500) for each such violation. Such penalties may be in addition to any other penalty provided by law.

The commissioner may suspend the license of any rating organization or insurer which fails to comply with an order of the commissioner within the time limited by such order or any extension thereof which the commissioner may grant. The commissioner shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken until such order has been affirmed. The commissioner may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him unless he modifies or rescinds such suspension or until the order upon which such suspension is based is modified, rescinded or reversed.

No penalty shall be imposed and no license shall be suspended or revoked except upon a written order of the commissioner stating his findings made after a hearing held upon not less than ten (10) days' written notice to such person or organization specifying the alleged violation.

Section 17 Hearing Procedure and Judicial Review

(a) Any insurer rating organization or person aggrieved by any action of the commissioner except disapproval of a filing or a part thereof as provided for in section five hereof or by any rule or regulation adopted and promulgated by the commissioner shall have the right to file a complaint with the commissioner and to have a hearing thereon before the commissioner. Pending such hearing and the decision thereon the commissioner may suspend or postpone the effective date of his previous action rule or regulation.

(b) All such hearings and all hearings provided for in section five hereof shall be conducted and the decision of the commissioner on the issue or filing involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) or any amendment thereof relating to adjudication procedure.

(c) Any insurer rating organization or person aggrieved by any adjudication including a disapproval of a filing or portion thereof under the provisions of section five hereof shall have a right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner with the same effect by the Administrative Agency Law or any amendment thereof and the rules of civil procedure promulgated by the Supreme Court of Pennsylvania or any amendment thereof having to do with judicial review of adjudications of agencies of the Commonwealth.

Section 18 Constitutionality. If any section subsection subdivision paragraph sentence or clause of this act is held invalid or unconstitutional such decision shall not affect the remaining portions of this act.

Section 19 Short Title. This act shall be known and may be cited as "The Casualty and Surety Rate Regulatory Act".

Section 20 Laws Repealed. All acts and parts of acts inconsistent herewith are hereby repealed.

Section 21 Effective Date. This act shall become effective on the first day of October one thousand nine hundred forty-seven.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JASPAN. Mr. President, in order to clear this atmosphere with respect to these bills, I desire to interrogate the gentleman from Cumberland, Senator Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. JASPAN. Mr. President, I desire to know whether these bills are designed to overcome a United States Supreme Court decision.

Mr. WADE. Mr. President, the answer is that House bills 887, 888, 890, 897, 903 and 910 are the result of a Supreme Court decision known as the Southeastern Underwriter Decision and the passage of Public Law 15 by the Federal Congress.

Mr. JASPAN. Mr. President, how many states passed similar legislation?

Mr. WADE. Mr. President, I am unable to answer that absolutely. However, it is my understanding that some six states have passed legislation similar to that which we are considering.

Mr. JASPAN. Does the gentleman from Cumberland know of any states that have rejected the proposal?

Mr. WADE. I know of only two states, Mr. President, that have adjourned without finally enacting what is known as all-industry legislation.

Mr. JASPAN. Mr. President, assuming that Pennsylvania passes this bill and another state does not, what will be the effect with respect to the Supreme Court decision?

Mr. WADE. My understanding, Mr. President, is that if Pennsylvania passes this legislation and other states do not pass the legislation, we will bring our laws in conformity with Public Law 15 which, in addition to other things, established a moratorium ending January 1, 1948, so that we would then be in the position of having regulatory laws conforming with Public Law 15, but the other states would not have it and might possibly come under federal regulation on account of not enacting similar legislation.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House bill No. 888, as follows:

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges to rating and advisory organizations to reports by rating organizations and insurers to the Pennsylvania State Police conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive inadequate or unfairly discriminatory to enable authorized insurers to meet all requirements of the insuring public of this Commonwealth and to authorize and regulate cooperative action among insurers in rate making and in other matters within the scope of this act Nothing in this act is intended (1) to prohibit or discourage reasonable competition or (2) to prohibit or encourage uniformity in insurance rates rating systems rating plans or practices This act shall be liberally interpreted to carry into effect its purposes as herein set forth

Section 2 Scope of Act This act applies to all classes and kinds of insurance which may be written by stock or mutual fire marine or fire and marine insurance companies associations or exchanges on risks located in this Commonwealth Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute or by interpretation thereof or if not so defined or interpreted by ruling of the Insurance Commissioner hereinafter referred to as commissioner or as established by general custom of the business as inland marine insurance

This act shall not apply

(a) To reinsurance other than joint reinsurance to the extent stated in section eleven

(b) To insurance of vessels or craft their cargoes marine builders' risk marine protection and indemnity or other risks commonly insured under marine as distinguished from inland marine insurance policies

(c) To insurance of hulls of aircraft including their accessories and equipment or against liability arising out of the ownership maintenance or use of aircraft

(d) To motor vehicle insurance not to insurance against liability arising out of the ownership maintenance or use of motor vehicles

(e) To perpetual policies of insurance issued in consideration of an initial deposit of moneys with the insurer to be held by it during the time such policies are in force and to be returned to the insureds in whole or in part upon cancellation of the policies

If any kind of insurance subdivision or combination thereof or type of coverage subject to this act is also subject to regulation by another rate regulatory act of this Commonwealth an insurer to which both acts are otherwise applicable shall file with the commissioner a designation as to which rate regulatory act shall be ap-

plicable to it with respect to such kind of insurance subdivision or combination thereof or type of coverage

Nothing in this act shall require a domestic mutual fire insurance company or a domestic reciprocal or exchange to file a schedule of rates or to become a member of any rating bureau but such companies reciprocals or exchanges may at their option file such schedules or become members of rating bureaus

Section 3 Making of Rates (a) Rates shall be made in accordance with the following provisions

(1) Manual minimum class rates rating schedules or rating plans shall be made and adopted except in the case of specific inland marine rates on risks specially rated and except in the case of special rates on other than inland marine risks where manual minimum class rates rating schedules or rating plans are not applicable

(2) Rates shall not be excessive inadequate or unfairly discriminatory

(3) Due consideration shall be given to past and prospective loss experience within and outside this Commonwealth to physical hazards to safety and loss prevention factors to underwriting practice and judgment to the extent appropriate to the conflagration and catastrophe hazards to a reasonable margin for underwriting profit and contingencies to dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers to past and prospective expenses both countrywide and those specially applicable to this Commonwealth and to all other relevant factors within and outside this Commonwealth and in the case of fire insurance rates consideration shall be given to the experience of the fire insurance business during a period of not less than the most recent five year period for which such experience is available

(b) Rates made in accordance with this section may be used subject to the provisions of this act

Section 4 Rate Filings (a) Every insurer shall file with the commissioner except as to inland marine risks which by general custom of the business are not written according to manual rates or rating plans every manual minimum class rate rating schedule or rating plan every other rating rule and every modification of any of the foregoing which it proposes to use and shall file every special rate on other than inland marine risks as mentioned in section three (a) (1) which it uses Every such filing shall state the proposed effective date thereof and shall indicate the character and extent of the coverage contemplated When a filing is not accompanied by the information upon which the insurer supports such filing and the commissioner does not have sufficient information to determine whether such filing meets the requirements of the act he may require such insurer to furnish the information upon which it supports such filing Any filing may be supported by (1) the experience or judgment of the insurer or rating organization making the filing (2) the experience of other insurers or rating organizations or (3) any other factors which the insurer or rating organization deems relevant A filing and any supporting information shall be open to public inspection after the filing becomes effective Specific inland marine rates on risks specially rated made by a rating organization shall be filed with the commissioner

(b) An insurer may satisfy its obligation to make such filings by becoming a member of or a subscriber to a licensed rating organization which makes such filings and by authorizing the commissioner to accept such filings on its behalf Provided That nothing contained in this act shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization

(c) The commissioner shall review such of the filings as it may be necessary to review in order to carry out the purposes of this act

(d) Subject to the exceptions specified in subsections (e) and (f) of this section each filing shall be on file for a waiting period of thirty days before it becomes effective which period may be extended by the commissioner for an additional period not to exceed thirty days upon written notice within such waiting period to the insurer

or rating organization which made the filing Upon written application by such insurer or rating organization the commissioner may authorize a filing or a part thereof which he has reviewed to become effective before the expiration of the waiting period or any extension thereof A filing shall be deemed to meet the requirements of this act and to become effective unless disapproved as hereinafter provided by the commissioner within the waiting period or any extension thereof

(e) Specific inland marine rates on risks specially rated by a rating organization shall become effective when filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(f) Any special rate mentioned in section three (a) (1) on a contract or policy covering other than inland marine risks shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(g) Under such rules and regulations as he shall adopt the commissioner may be written order suspend or modify the requirement of filing as to any kind of insurance subdivision or combination thereof or as to classes of risks the rates for which cannot practicably be filed before they are used Such orders rules and regulations shall be made known to insurers and rating organizations affected thereby The commissioner may make such examination as he may deem advisable to ascertain whether any rates affected by such order meet the standards set forth in subdivision (2) of subsection (a) of section three

(h) Upon the written consent of the insured stating his reasons therefor filed with and approved by the commissioner a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk The rate shall become effective when such consent is filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect

(i) Beginning ninety days after the effective date of this act no insurer shall make or issue a contract or policy except in accordance with the filings or rates which are in effect for said insurer as provided in this act or in accordance with subsections (g) or (h) of this section This subsection shall not apply to contracts or policies for inland marine risks as to which filings are not required

Section 5 Disapproval of Filings (a) Upon the review at any time by the commissioner of a filing he shall before issuing an order of disapproval hold a hearing upon not less than ten days' written notice specifying the matters to be considered at such hearing to every insurer and rating organization which made such filing and if after such hearing he finds that such filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respects he finds that it so fails and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective if the filing or a part thereof has become effective under the provisions of section four Provided however an insurer or rating organization shall have the right at any time to withdraw a filing or a part thereof subject to the provisions of section seven in the case of a deviation filing Copies of said order shall be sent to every such insurer and rating organization Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order

(b) Any person or organization aggrieved with respect to any filing which is in effect may make written application to the commissioner for a hearing thereon Provided however the insurer or rating organization that made the filing shall not be authorized to proceed under this subsection Such application shall specify the grounds to be relied upon by the applicant If the commissioner shall find that the application is made in good faith that the applicant would be so aggrieved if his grounds are established and that such grounds otherwise justify holding such a hearing he shall within thirty days after receipt of such application hold a hearing upon not less than

ten days' written notice to the applicant and to every insurer and rating organization which made such filing

If after such hearing the commissioner finds that the filing or a part thereof does not meet the requirements of this act he shall issue an order specifying in what respects he finds such filing or a part thereof fails to meet the requirements of this act and stating when within a reasonable period thereafter such filing or a part thereof shall be deemed no longer effective. Copies of said order shall be sent to the applicant and to every such insurer and rating organization. Said order shall not affect any contract or policy made or issued prior to the expiration of the period set forth in said order.

(c) No filing nor any modification thereof shall be disapproved if the rates in connection therewith meet the requirements of this act.

Section 6 Rating Organizations (a) A corporation an unincorporated association a partnership or an individual whether located within or outside this Commonwealth may make application to the commissioner for license as a rating organization for such kinds of insurance or subdivision or class of risk or a part or combination thereof as are specified in its application and shall file therewith (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws rules and regulations governing the conduct of its business (2) a list of its members and subscribers (3) the name and address of a resident of this Commonwealth upon whom notices or orders of the commissioner or process affecting such rating organization may be served and (4) a statement of its qualifications as a rating organization. If the commissioner finds that the applicant is competent trustworthy and otherwise qualified to act as a rating organization and that its constitution articles of agreement or association or certificate of incorporation and its by-laws rules and regulations governing the conduct of its business conform to the requirements of law he shall issue a license specifying the kinds of insurance or subdivision or class of risk or part or combination thereof for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the commissioner within sixty days of the date of its filing with him. Licenses issued pursuant to this section shall remain in effect for three years unless sooner suspended or revoked by the commissioner. The fee for said license shall be twenty-five dollars. Licenses issued pursuant to this section may be suspended or revoked by the commissioner after hearing upon notice in the event the rating organization ceases to meet the requirements of this subsection. Every rating organization shall notify the commissioner promptly of every change in (1) its constitution its articles of agreement or association or its certificate of incorporation and its by-laws rules and regulations governing the conduct of its business (2) its list of members and subscribers and (3) the name and address of the resident of this Commonwealth designated by it upon whom notices or orders of the commissioner or process affecting such rating organization may be served.

(b) Subject to rules and regulations which have been approved by the commissioner as reasonable each rating organization shall permit any insurer not a member to be a subscriber to its rating services for any kind of insurance subdivision or class of risk or a part or combination thereof for which it is authorized to act as a rating organization. Notice of proposed changes in such rules and regulations shall be given to subscribers. Each ratings organization shall furnish its rating services without discrimination to its members and subscribers. The reasonableness of any rule or regulation in its application to subscribers or the refusal of any rating organization to admit an insurer as a subscriber shall at the request of any subscriber or any such insurer be reviewed by the commissioner at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurer. If the commissioner finds that such rule or regulation is unreasonable in its application to subscribers he shall order that such rule or regulation shall not be

applicable to subscribers. If the rating organization fails to grant or reject an insurer's application for subscriber-ship within thirty days after it was made the insurer may request a review by the commissioner as if the application had been rejected. If the commissioner finds that the insurer has been refused admittance to the rating organization as a subscriber without justification he shall order the rating organization to admit the insurer as a subscriber. If he finds that the rating organization was justified he shall make an order affirming its action.

(c) No rating organization shall adopt any rule the effect of which would be to prohibit or regulate the payment of dividends savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders members or subscribers.

(d) Cooperation among rating organizations or among rating organizations and insurers and concert of action among insurers under the same general management and control in rate making or in other matters within the scope of this act is hereby authorized provided the filings resulting therefrom are subject to all the provisions of this act which are applicable to filings generally. The commissioner may review such activities and practices and if after a hearing he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respect such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice.

(e) Any rating organization may provide for the examination of policies daily reports binders renewal certificates endorsements or other evidences of insurance or the cancellation thereof and may make reasonable rules governing their submission. Such rules shall contain a provision that in the event any insurer does not within sixty days furnish satisfactory evidence to the rating organizations of the correction of any error or omission previously called to its attention by the rating organization it shall be the duty of the rating organization to notify the commissioner thereof. All information so submitted for examination shall be confidential.

(f) Any rating organization may subscribe for or purchase actuarial technical or other services and such services shall be available to all members and subscribers without discrimination.

Section 7 Deviations Every member of or subscriber to a rating organization shall adhere to the filings made on its behalf by such organization except that any such insurer may file with the commissioner a deviation from the class rates schedules rating plans or rules respecting any kind of insurance or class of risk within a kind of insurance or combination thereof. Such deviation filing shall specify the basis for the modification and a copy thereof shall be sent simultaneously to such rating organization. Any such deviation filing shall be on file for a waiting period of thirty days before it becomes effective unless the commissioner reviews and authorizes the filing to become effective before the expiration of such period and shall be subject to the provisions of section five. Each deviation shall be effective for a period of not less than one year from the date such deviation is filed unless terminated sooner with the approval of the commissioner or in accordance with the provisions of section five.

Section 8 Appeal by Minority Any member of or subscriber to a rating organization may appeal to the commissioner from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days or if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its filings he may in the event he finds that such action

or decision was unreasonable issue an order directing the rating organization to make an addition to its filings on behalf of its members and subscribers in a manner consistent with his findings within a reasonable time after the issuance of such order provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings relating to the character and extent of coverage he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

The failure of a rating organization to take action or make a decision within thirty days after submission to it of a proposal under this section shall constitute a rejection of such proposal within the meaning of this section

Section 9 Information to be Furnished Insureds and State Police Hearings and Appeals of Insureds Every rating organization and every insurer which makes its own rates shall within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make furnish to any insured affected by a rate made by it or to the authorized representative of such insured all pertinent information as to such rate Every rating organization and every insurer which makes its own rates shall provide within this Commonwealth reasonable means whereby any person aggrieved by the application of its rating system may be heard in person or by his authorized representative on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him If the rating organization or insurer fails to grant or reject such request within thirty days after it is made the applicant may proceed in the same manner as if his application had been rejected Any party affected by the action of such rating organization or such insurer on such request may within thirty days after written notice of such action appeal to the commissioner who after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization or insurer may affirm or reverse such action

Every rating organization and every insurer which makes its own rates shall supply or permit to be copied the data and shall file the reports as required by the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" or its amendments or supplements

Section 10 Advisory Organizations (a) Every group association or other organization of insurers whether located within or outside this Commonwealth which assists insurers which make their own filings or rating organization in rate making by the collection and furnishing of loss or expense statistics or by the submission of recommendations but which does not make filings under this act shall be known as an advisory organization

(b) Every advisory organization shall file with the commissioner (1) a copy of its constitution its articles of agreement or association or its certificate of incorporation and of its by-laws and regulations governing its activities (2) a list of its members (3) the name and address of a resident of this Commonwealth upon whom notices or orders of the commissioner or process issued at his direction may be served and (4) an agreement that the commissioner may examine such advisory organization in accordance with the provisions of section twelve of this act

(c) If after a hearing the commissioner finds that the furnishing of such information or assistance involves any

act or practice which is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such act or practice

(d) No insurer which makes its own filings nor any rating organization shall support its filings by statistics or adopt rate making recommendations furnished to it by an advisory organization which has not complied with this section or with an order of the commissioner involving such statistics on recommendations issued under subsection (c) of this section If the commissioner finds such insurer or rating organization to be in violation of this subsection he may issue an order requiring the discontinuance of such violation

Section 11 Joint Underwriting or Joint Reinsurance

(a) Every group association or other organization of insurers which engages in joint underwriting or joint reinsurance shall be subject to regulation with respect thereto as herein provided subject however with respect to joint underwriting to all provisions of this act and with respect to joint reinsurance to sections twelve and fifteen to twenty of this act

(b) If after a hearing the commissioner finds that any activity or practice of any such group association or other organization is unfair or unreasonable or otherwise inconsistent with the provisions of this act he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act and requiring the discontinuance of such activity or practice

(c) The provisions of this section shall not apply to the group action of insurers under the same general management and control

Section 12 Examinations The commissioner shall at least once in five years make or cause to be made an examination of each rating organization licensed in this Commonwealth as provided in section six and he may as often as he may deem it expedient make or cause to be made an examination of each advisory organization referred to in section ten and of each group association or other organization referred to in section eleven The reasonable costs of any such examination shall be paid by the rating organization advisory organization or group association or other organization examined upon presentation to it of a detailed account of such costs The officers manager agents and employees of such rating organization advisory organization or group association or other organization may be examined at any time under oath and shall exhibit all books records accounts documents or agreements governing its method of operation The commissioner shall furnish two copies of the examination report to the organization group or association that it may within twenty days thereafter request a hearing on said report or on any facts or recommendations therein Before filing any such report for public inspection the commissioner shall grant a hearing to the organization group or association examined The report of any such examination when filed for public inspection shall be admissible in evidence in any action proceeding brought by the commissioner against the organization group or association examined or its officers or agents and shall be prima facie evidence of the facts stated therein The commissioner may withhold the report of any such examination from public inspection for such time as he may deem proper In lieu of any such examination the commissioner may accept the report of an examination made by the insurance supervisory official of another state pursuant of the laws of such state

Section 13 Rate Administration Authority and Duties of Commissioner Rules and Regulations (a) Recording and Reporting of Loss and Expense Experience The commissioner shall promulgate reasonable rules and statistical plans reasonably adapted to each of the rating systems on file with him which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and

countrywide expense experience in order that the experience of all insurers may be made available at least annually in such form and detail as may be necessary to aid him in determining whether rating systems comply with the standards set forth in this act. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this Commonwealth and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating such rules and plans the commissioner shall give due consideration to the rating systems on file with him and in order that such rules and plans may be as uniform as its practicable among the several states to the rules and to the form of the plans used for such rating systems in other states. Such rules and plans shall not place an unreasonable burden of expense on any insurer. No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it nor shall any insurer be required to report its experience to any agency of which it is not a member or subscriber. The commissioner may designate one or more rating organizations or other agencies to assist him in gathering such experience and making compilations thereof and such compilations shall be made available subject to reasonable rules promulgated by the commissioner to insurers and rating organizations.

(b) Interchange of Rating Plan Data. Reasonable rules and plans may be promulgated by the commissioner for the interchange of data necessary for the application of rating plans.

(c) Consultation with Other States. In order to further uniform administration of rate regulatory laws the commissioner and every insurer and rating organization may exchange information and experience data with insurance supervisory officials, insurers and rating organizations in other states and may consult with them with respect to rate making and the application of rating systems.

(d) Authority and Duties of Commissioner. Rules and Regulations. In addition to any powers hereinbefore expressly enumerated in this act the commissioner shall have full power and authority and it shall be his duty to enforce and carry out by regulations, orders or otherwise all and singular the provisions of this act and the full intent thereof. The commissioner may make such reasonable rules and regulations not inconsistent with this act or any amendment thereof as may be necessary or proper in the exercise of his powers or for the performance of his duties under this act.

Section 14 False or Misleading Information. No persons or organization shall wilfully withhold information from or knowingly give false or misleading information to the commissioner any statistical agency designated by the commissioner any rating organization or any insurer which will affect the rates or premiums chargeable under this act. A violation of this section shall subject the one guilty of such violation to the penalties provided in section fifteen of this act.

Section 15 Penalties. The commissioner may if he finds that any person or organization has violated any provision of this act impose a penalty of not more than fifty dollars (\$50) for each such violation but if he finds such violation to be wilful he may impose a penalty of not more than five hundred dollars (\$500) for each such violation. Such penalties may be in addition to any other penalty provided by law.

The commissioner may suspend the license of any rating organization or insurer which fails to comply with an order of the commissioner within the time limited by such order or any extension thereof which the commissioner may grant. The commissioner shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken until such order has been affirmed. The commissioner may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him unless he modifies or rescinds such suspension or

until the order upon which such suspension is based is modified, rescinded or reversed.

No penalty shall be imposed and no license shall be suspended or revoked except upon a written order of the commissioner stating his findings made after a hearing held upon not less than ten days' written notice to such person or organization specifying the alleged violation.

Section 16 Hearing Procedure and Judicial Review. (a) Any insurer, rating organization or person aggrieved by any action of the commissioner except disapproval of a filing or a part thereof as provided for in section five hereof or by any rule or regulation adopted and promulgated by the commissioner shall have the right to file a complaint with the commissioner and to have a hearing thereon before the commissioner. Pending such hearing and the decision thereon the commissioner may suspend or postpone the effective date of his previous action rule or regulation.

(b) All such hearings and all hearings provided for in section five hereof shall be conducted and the decision of the commissioner on the issue or filing involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved the fourth day of June one thousand nine hundred forty-five (P. L. 1388) or any amendment thereof relating to adjudication procedure.

(c) Any insurer, rating organization or person aggrieved by any adjudication including a disapproval of a filing or portion thereof under the provisions of section five hereof shall have a right to appeal therefrom to the court of common pleas of Dauphin County and have a judicial review of such adjudication within the time and in the manner and with the same effect as is provided by the Administrative Agency Law or any amendment thereof and the rules of civil procedure promulgated by the Supreme Court of Pennsylvania or any amendment thereof having to do with judicial review of adjudications of agencies of the Commonwealth.

Section 17 Constitutionality. If any section, subsection, subdivision, paragraph, sentence or clause of this act is held invalid or unconstitutional such decision shall not affect the remaining portions of this act.

Section 18 Short Title. This act shall be known and may be cited as "The Fire Marine and Inland Marine Rate Regulatory Act".

Section 19 Laws Repealed. The following acts and parts of acts and all amendments thereof are hereby repealed:

(1) Sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and twenty-one".

(2) Sections five hundred forty-one to five hundred fifty-three inclusive of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) known as "The Insurance Company Law 1921".

(3) All other acts and parts of acts inconsistent herewith.

Section 20 Effective Date. This act shall become effective on the first day of October one thousand nine hundred forty-seven.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,
Becker,
Berger,
Blass,
Carr,

Farrell,
Frazier,
Geltz,
Haluska,
Hare,

Letzler,
Lord,
Mahany,
Mallery,
Rahauser,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,

Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,

Heyburn,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,

Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Taltman,

Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 890, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribe fees and fines and penalties of such organizations excluding from the definition of agent and broker in the case of title insurance companies attorneys licensed real estate agents and brokers and repealing certain sections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as last amended by the act approved the twenty-second day of one one thousand nine hundred thirty-one (P. L. 616) is hereby further amended to read as follows

Section 103 Application of Act The provisions of this act shall apply to all companies associations and exchanges transacting any class of insurance business to rating organizations and to all insurance agents and insurance brokers The provisions of this act excepting sections two hundred and nineteen (219) three hundred and five (305) five hundred one (501) five hundred and two (502) five hundred four (504) five hundred and five (505) five hundred and six (506) five hundred and seven (507) five hundred and eight (508) five hundred and nine (509) five hundred and ten (510) and six hundred and seven (607) hereof shall not apply to fraternal benefit societies orders or associations conducted not for profit and having a lodge system with ritualistic form of work and representative form of government or to beneficial

or relief associations conducted not for profit formed by churches societies classes firms or corporations with or without ritualistic form of work the privilege of membership in which are confined to the members of such churches societies or classes and to members and employees of such firms or corporations The provisions of this act excepting sections two hundred and thirteen (213) two hundred and fourteen (214) two hundred and sixteen (216) two hundred and nineteen (219) five hundred and one (501) five hundred and two (502) five hundred and three (503) five hundred and four (504) five hundred and five (505) five hundred and six (506) five hundred and seven (507) five hundred and eight (508) five hundred and nine (509) and five hundred and ten (510) hereof shall not apply to domestic mutual fire insurance companies of this Commonwealth incorporated under special acts of Assembly or under the act of May first one thousand eight hundred and seventy-six with unlimited or limited liability to assessment for payment of expenses and of losses and loss adjustments set forth in the policy contract or in the promissory notes attached to said policy

Section 2 Section two hundred eleven of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 936) is hereby further amended to read as follows

Section 211 Fees The Insurance Commissioner shall charge and collect fees as follows For valuation of life-policies not exceeding one cent for each thousand dollars of insurance valued but in no case shall the minimum fee be less than ten dollars' (\$10) for filing copy of charter twenty-five dollars for the filing annual or other statement twenty dollars for license to company association or exchange or certified copy or duplicate thereof two dollars for license to a rating organization the fee prescribed by the Act of Assembly creating such rating organization for license as excess insurance broker one hundred dollars for license as insurance broker ten dollars for individual and twenty-five dollars for each license in the name of a copartnership or corporation including individual licenses for any duly qualified individuals without extra charge for officers or solicitors not exceeding three for agents' license for each domestic company association and exchange fifty cents for agents' license for each foreign company association and exchange two dollars for each copy of any paper filed in the department twenty cents per folio and one dollar for certifying the same for any other certificate required two dollars for making examinations the expense of the examination All fees collected shall be daily covered into the State Treasury

Section 3 Section two hundred sixteen of said act as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 161) is hereby further amended to read as follows

Section 216 Powers with Regard to Examinations For the purpose of any such examinations the Insurance Commissioner his deputy or his examiners shall have free access to all the books and papers of any such company association exchange [bureau] or corporation which relate to its business and to the books and papers kept by any of its agents and may summon and administer the oath to and examine as witnesses the directors officers agents and trustees of any such company association exchange [bureau] or corporation and any other person relative to its affairs transactions and condition He shall publish the result of his examination of the affairs of any company association or exchange [or bureau] whenever he deems it for the interest of the policyholders so to do All the expenses incurred in and about the examination of companies associations exchanges [bureaus] or corporations including compensation of the deputies examiners and other employees of the department assisting in said examination shall be charged to and paid by the company association exchange [bureau] or corporation examined in equitable proportions at such times and in such manner as the commissioner shall by general rule or regulation prescribe

Section 4 Section two hundred eighteen of said act as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 441) is hereby further amended to read as follows

Section 218 Collection of Unpaid Taxes Fines and Penalties The taxes imposed by this act shall be collected by the Department of Revenue and the fines and penalties provided in this act and in any other act prescribing fines and penalties which may be imposed by the Insurance Commissioner shall in case of non-payment after notice from the Insurance Commissioner be collected as taxes upon corporations or individuals are now collected by law and for this purpose the Insurance Commissioner shall have all the powers now conferred by law upon the Department of Revenue in the settlement of accounts subject however to the approval of the Department of the Auditor General and to the right of any party aggrieved to file a petition for resettlement petition for review and appeal as in other cases

Section 5 Section six hundred one of said act as amended by the act approved the eighth day of May one thousand nine hundred twenty-nine (P. L. 1660) is hereby further amended to read as follows

Section 601 Insurance Agents Defined An agent is an individual copartnership or corporation authorized in writing by a company association or exchange

(a) To solicit risks and collect premiums and to issue or countersign policies in its behalf or

(b) To solicit risks and collect premiums in its behalf

A person copartnership association or corporation not a duly licensed insurance broker who for or without compensation solicits insurance on behalf of any insurance company association or exchange or transmits for a person copartnership association or corporation other than himself or itself an application for a policy of insurance to or from such company association or exchange or offers or assumes to act in the negotiation of such insurance or in any manner aids in transacting the insurance business of any such company association or exchange by negotiating for or placing risks or delivering policies or collecting premiums for such company association or exchange shall be an insurance agent within the intent of this act and shall thereby become liable to all the duties requirements liabilities and penalties to which an agent of such company association or exchange is subject Provided however That the word "agent" shall not include non-resident salaried employes of foreign exchanges which maintain no offices in this Commonwealth and pay no commissions to such employes or officers or salaried employes of any insurance company association or exchange which is authorized to transact business in this Commonwealth who do not solicit negotiate or place risks or as to title insurance duly admitted attorneys-at-law licensed real estate agents or real estate brokers

Section 6 Section six hundred twenty-three of said act as amended by the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 616) is hereby further amended to read as follows

Section 623 Penalties for Acting as Broker Without a License and Transacting Business with an Unlicensed Broker Any person copartnership or corporation transacting business as an insurance broker within this Commonwealth or soliciting insurance or transmitting for a partnership copartnership association or corporation other than himself or itself an application for a policy of insurance or offering or assuming to act in the negotiation of such insurance or in any manner aiding in transacting an insurance business or negotiating for or placing risks or delivering policies or collecting premiums for policies which are effective in this State without a license as broker or in the case of title insurance without being admitted to practice as an attorney-at-law or being licensed as a real estate broker or real estate agent unless he or she or it be acting as a licensed agent and then only for the companies he she or it is duly licensed by this Commonwealth to represent shall be deemed guilty of a misdemeanor and upon conviction thereof shall pay a fine

not exceeding one thousand dollars Any company association or exchange or the agent of any company association or exchange accepting application or orders for insurance or securing any insurance business through any one acting without a license as aforesaid [issued by the Insurance Commissioner of the Commonwealth of Pennsylvania] shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine not exceeding one thousand dollars

Section 7 The provisions of this act shall become effective on the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahouser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—1

Holland,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 626) page 3, lines 4 and 5, by striking out the words "who resides and maintains an office in the Commonwealth"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 897, as follows:

An Act to further amend the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 103 Scope of Act Except as in this act otherwise provided to provisions of this act in so far as they are applicable shall apply (a) To all domestic insurance companies incorporated under the provisions of this act (b) to all domestic insurance companies incorporated under general or special laws since the thirteenth day of October one thousand eight hundred and fifty-seven (c) to all domestic insurance companies heretofore incorporated which have accepted the provisions of the Constitution and the general insurance laws enacted since the thirteenth day of October one thousand eight hundred and fifty-seven (d) to all domestic insurance companies incorporated under any general or special law prior to the thirteenth day of October one thousand eight hundred and fifty-seven which by the terms of their charters or the acts under which they were incorporated hold charters subject to alteration or revocation (e) to all other domestic insurance companies incorporated by general or special law prior to the thirteenth day of October one thousand eight hundred and fifty-seven which accept the provisions of this act as hereinafter provided

(f) to all foreign insurance companies doing business in this Commonwealth and (g) to all domestic and foreign associations and exchanges doing insurance business in this Commonwealth [and (h) to all domestic and foreign fire rating bureaus doing business in this Commonwealth]

All insurance companies to which this act applies and which have the required capital and reserve may transact any one or more of the classes of insurance authorized by section two hundred and two (202) of this act in the same manner and to the same extent as insurance companies incorporated under the provisions of this act

No insurance company heretofore created and to which this act applies shall be deprived of any right which it enjoys under its charter to engage in any business other than insurance Nothing in this act shall be construed to interfere with the charter provisions or operations of any domestic mutual fire insurance company heretofore organized under any general or special law of this Commonwealth

Section 2 Section three hundred fifty-three of said act as added by the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 904) is hereby amended to read as follows

Section 353 Unfair [Discrimination] Unfair Discrimination Prohibited Unfair Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of life health and accident [personal liability or casualty] insurance [except fidelity or surety bonds] covered by this act and any other lines and kinds of insurance not within the scope of The Fire Marine and Inland Marine Regulatory Act and The Casualty and Surety Rate Regulatory Act or in the benefits payable thereon or in any of the terms or conditions of such policy or in any other manner whatsoever is prohibited

Any person corporation insurance company association or exchange that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within this Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500.00)

Upon satisfactory evidence of the violation of this section by any such person corporation insurance company association or exchange the Insurance Commissioner may in his discretion pursue any one or more of the following courses of action (1) Suspend or revoke the license of such offending person corporation insurance company association or exchange (2) refuse for a period of not to exceed one year thereafter to issue a new license to such person corporation insurance company association or exchange (3) impose a penalty of not more than [one thousand] five hundred (\$500) dollars for each and every act in violation of this act When the Insurance Commissioner shall take action in any of the ways above recited the person corporation insurance company association or exchange aggrieved may appeal therefrom to the court of common pleas of Dauphin County

Any adjudication of the Insurance Commissioner shall be subject to review in accordance with the provisions of the Administrative Agency Law and any amendments thereto

Section 3 Section one thousand seven of said act is hereby amended to read as follows

Section 1007 Reports by Attorney Examinations by Insurance Commissioner Such attorney shall make a report to the Insurance Commissioner for each calendar year on or before the first day of March showing the financial condition of affairs at the office where such contracts are issued and shall furnish such additional information and reports as he may require Such attorney shall not be required to furnish the names and addresses of any subscribers nor the loss ratio of any particular subscriber

The business affairs and assets of such organizations

shall be subject to examination by the Insurance Commissioner

Section 4 The provisions of this act shall become effective the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Farrell,	Letzler,	Taylor,
Becker,	Frazier,	Lord,	Tyler,
Berger,	Geltz,	Mahany,	Wade,
Blass,	Haluska,	Mallery,	Wagner,
Carr,	Hare,	Rosenfeld,	Walker,
Chapman,	Heyburn,	Ruth,	Watson,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Wolfe,
Dent,	Kephart,	Stevenson,	Wood, L. H.,
DiSilvestro,	Klein,	Stiefel,	Wood, T. N.,
Doehla,	Lane,	Tallman,	Woodring,
Donlan,	Leader,	Tarr,	

NAYS—2

Holland, Rahausser,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 908, as follows:

An Act to add four new sections to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" regulating ownership by domestic insurance companies of the capital stock of other insurance companies conferring powers upon the Insurance Commissioner prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insur-

ance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding immediately after section three hundred thirty-seven four new sections to read as follows

Section 337.1 Any domestic insurance company may retain or acquire the whole or any part of the capital stock of other insurance companies provided no insurance company shall by reason of such retention or acquisition of such capital stock conduct its business with the public in a manner which substantially lessens competition or tends to create a monopoly and provided further such retention or acquisition is consistent with the provisions of the law relating to the investment of the funds of domestic insurance companies

Section 337.2 Any person otherwise qualified may be a director of two or more insurance companies when such interlocking directorate is not used as a means of substantially lessening competition or tending to create a monopoly

Section 337.3 Whenever the Insurance Commissioner has reason to believe that there is a violation of section three hundred thirty-seven point one or section three hundred thirty-seven point two of this act he shall serve upon the insurance company or the director concerned a complaint setting forth the facts alleged to constitute such violation with which complaint there shall be given a notice in writing of a time and place of a hearing before the Insurance Commissioner to be held not less than thirty days after the service of such complaint and requiring such insurance company or director to show cause why an order should not be made by the Insurance Commissioner directing such insurance company or director to cease and desist from such violation

All hearings provided for in this section shall be conducted and the decision of the Insurance Commissioner on the issue involved shall be rendered in accordance with the provisions of the Administrative Agency Law approved June fourth one thousand nine hundred forty-five (P. L. 1388) or any amendment thereof relating to adjudication procedure

If upon such hearing the Insurance Commissioner finds that there has been a violation of section three hundred thirty-seven point one or section three hundred thirty-seven point two of this act he shall issue and cause to be served upon such insurance company or director an order reciting the facts found by him and setting forth the respects in which there has been a violation of section three hundred thirty-seven point one or section three hundred thirty-seven point two of this act and directing such insurance company or director to cease and desist from such violation

Any insurance company or director aggrieved by any such order issued by the Insurance Commissioner under the provisions of this act shall have a right to appeal therefrom to the Court of Common Pleas of Dauphin County and have a judicial review of such order within the time and in the manner and with the same effect as is provided by the Administrative Agency Law or any amendment thereof and the rules of civil procedure promulgated by the Supreme Court of Pennsylvania or any amendment thereof having to do with judicial review of adjudications of agencies of the Commonwealth

Section 337.4 Nothing contained in the foregoing three sections shall authorize any order judgment or decree directing any domestic insurance company to divest itself of the capital stock of another insurance company

Section 2 The provisions of this act shall become effective the first day of October one thousand nine hundred forty-seven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. President, I wonder whether the

gentleman from Cumberland, Mr. Wade, will permit himself to be interrogated.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will Mr. President.

Mr. HOLLAND. Mr. President, this bill permits an insurance company to buy stock of another insurance company, is that right?

Mr. WADE. I understand it does, Mr. President.

Mr. HOLLAND. In other words, then it permits, say for instance, the Insurance Company of North America, a man may sit on the board of directors of another insurance company that they own stock in.

Mr. WADE. There is no such name as that in the bill.

Mr. HOLLAND. The gentleman from Cumberland is very well acquainted with the different companies and that is why I used the name North American. I think they have \$100,000,000 assets and they would be able to buy \$5,000,000 worth of stock of some other company; is that right?

Mr. WADE. Mr. President, I understand there is an insurance company known as the Insurance Company of North America, but I do not know what they contemplate purchasing.

Mr. HOLLAND. I wish you would not be so evasive, Mr. Wade; you are acting like a lawyer instead of an insurance salesman.

The PRESIDENT. The Senator from Allegheny will not cast reflections.

Mr. WADE. Mr. President, I would like to inquire whether I am still being interrogated.

Mr. HOLLAND. As this bill now is written, it permits an insurance company to purchase up to five per cent of their assets, stock in other companies to a limit of five per cent of their present assets; is that right?

Mr. WADE. I understand that is correct, Mr. President.

Mr. HOLLAND. And that would permit them to have a man serve on another insurance company board of directors, is that right?

Mr. WADE. That question, Mr. President, is not intelligible to me.

Mr. HOLLAND. I am being prompted by some attorneys back here but I am afraid to use some of the expressions they are using, because I do not want to confuse you, Mr. Wade—interlocking directors is the term.

Mr. WADE. I do not understand the question.

Mr. HOLLAND. Does this bill permit interlocking directors?

Mr. WADE. I understand that it does.

Mr. HOLLAND. It does?

Mr. WADE. Yes.

Mr. HOLLAND. Mr. President, House Bill 908 permits one insurance company to buy into another insurance company, and this will continue, as happened one time in Pennsylvania before, when a Missouri company owned a Kentucky company and when they went up to Kentucky they found out that the Kentucky company owned the Missouri company, and that is what will happen again. By permitting one insurance company to buy into another insurance company, after all, you will be doing business, like you would walk into the General Electric Company and you might buy a lot of different products under different sales names, but you will be buying insurance from

the same company eventually, and I think this is a very bad bill which permits the beginning of a monopoly.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Becker,	Frazier,	Mallery,	Tyler,
Berger,	Geltz,	Margie,	Wade,
Blass,	Hare,	Rosenfeld,	Wagner,
Carr,	Heyburn,	Ruth,	Walker,
Chapman,	Homsher,	Scarlett,	Watson,
Crider,	Kephart,	Snowden,	Wilson,
Crowe,	Lane,	Stevenson,	Wolfe,
Doehla,	Letzler,	Tallman,	Wood, L. H.,
Donlan,	Lord,	Taylor,	Wood, T. N.,
Farrell,	Ma hany,		

NAYS—11

Barr,	Holland,	Leader,	Tarr,
DiSilvestro,	Jaspan,	Rahauser,	Woodring,
Haluska,	Klein,	Stiefel,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 910, as follows:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance defining and prohibiting such methods acts and practices conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Purpose of Act The purpose of this act is (1) to regulate the business of insurance as contemplated by Public Law 15 79th Congress and (2) to define acts methods and practices by any and all persons engaged in the business of insurance which constitute unfair methods of competition and unfair or deceptive acts or practices

Section 2 Unfair Methods and Unfair or Deceptive Acts or Practices Prohibited No person partnership or corporation engaged in the business of insurance shall engage in unfair methods of competition or in unfair or deceptive acts or practices in the conduct of such business Such acts and practices are defined and declared to consist of the following

(a) Misrepresentations and False Advertising of Policy Contracts No person partnership or corporation engaged in the business of insurance in this Commonwealth shall make issue or circulate or cause to be made issued or circulated any estimate illustration circular or statement of any sort misrepresenting the terms of any policy issued or to be issued or the benefits or advantages promised thereby or the dividends or share of the surplus to be received thereon or shall use any name or title of any policy or class of policies misrepresenting the true nature thereof nor shall any such person partnership or corporation make any misrepresentation to any person insured in any company for the purpose of inducing or tending to induce a policyholder in any company to lapse forfeit or surrender his insurance

(b) False Information and Advertising Generally No person partnership or corporation engaged in the business of insurance in this Commonwealth shall make publish disseminate circulate or place before the public or cause directly or indirectly to be made published disseminated circulated or placed before the public in a newspaper or other publication or in the form of a notice circular pamphlet letter or poster or over any radio station or in any other way an advertisement announcement or statement of any sort containing any assertion representation or statement with respect to the business of insurance or with respect to any person partnership or corporation in the conduct of his or its insurance business which is untrue deceptive or misleading

(c) Defamation No person partnership or corporation engaged in the business of insurance in this Commonwealth shall make publish disseminate or circulate directly or indirectly or aid abet or encourage the making publishing disseminating or circulating of any oral or written statement pamphlet circular article or literature which is false and which is wilfully calculated to injure any other such person partnership or corporation

(d) Boycott Coercion and Intimidation No person partnership or corporation engaged in the business of insurance in this Commonwealth shall enter into any agreement to commit or by any concerted action commit any act of boycott coercion or intimidation resulting or tending to result in unreasonable restraint of or a monopoly in trade or commerce

(e) False Financial Statements No person partnership or corporation engaged in the business of insurance in this Commonwealth shall file with any supervisory or other public official or shall make publish disseminate circulate or deliver to any person or place before the public or cause directly or indirectly to be made published disseminated circulated delivered to any person or placed before the public any financial statement of an insurer which does not accurately state its true financial condition

(f) Stock Operations and Advisory Board Contracts No insurance company doing business in this Commonwealth shall issue or permit its agents officers or employees to issue or deliver agency company stock or other capital stock or benefit certificates or shares in any common-law corporation or securities of any special or advisory board or other contracts of any kind promising returns and profits as an inducement to insurance and no corporation or stock company acting as agent of an insurance company nor any of its agents officers or employees shall be permitted to sell agree or offer to sell or give or offer to give directly or indirectly in any manner whatsoever any share of stock securities bonds or agreement of any form or nature promising returns and profits as an inducement to insurance or in connection therewith

Section 3 Power and Duty of Commissioner The Insurance Commissioner shall have the duty of enforcing the provisions of this act and shall have power to examine and investigate into the affairs of every person partnership or corporation engaged in the business of insurance in order to determine whether such person partnership or corporation has been or is engaged in any of the acts methods and practices prohibited by this act

Section 4 Notice of Hearing When the commissioner shall have reason to believe that any person partnership or corporation has been or is engaging in any of such prohibited acts methods or practices and that action is called for he shall issue and serve upon such person partnership or corporation a statement of the charges and a notice of a hearing thereon to be held at a time and place fixed in the notice which shall not be less than ten days from the date of service thereof

Section 5 Hearing Witnesses Production of Books At the time and place fixed for the hearing such person partnership or corporation shall have an opportunity to be heard and to show cause why an order should not be made by the commissioner requiring such person partnership or corporation to cease and desist from the acts methods or

practices constituting the alleged violation The commissioner upon such hearing may administer oaths examine and cross-examine witnesses receive oral and documentary evidence and shall have the power to subpoena witnesses compel their attendance and require the production of books papers records correspondence or other documents which he deems relevant to the inquiry

Section 6 Appearances Upon good cause shown the commissioner may permit any person partnership or corporation to intervene appear and be heard at such hearing

Section 7 Cease and Desist Order If after hearing the commissioner shall determine that the acts methods or practices which are the subject of the inquiry are prohibited under this act he shall reduce his findings to writing and shall issue and serve upon the person partnership or corporation charged with the violation an order requiring such person partnership or corporation to cease and desist from such acts methods or practices

Section 8 Procedure in Hearings and on Appeal In all particulars not hereinbefore specified the procedure before the Insurance Commissioner and on appeal to the Court of Common Pleas of Dauphin County and the right to make such appeal on the part of any person aggrieved by any final order decree decision determination or ruling of the commissioner shall be as prescribed by and provided for in the Administrative Agency Law approved June 4, 1945 and in the Rules of Civil Procedure promulgated by the Supreme Court of Pennsylvania and in any amendments of either thereof

Section 9 Penalties Any person partnership or corporation who violates an order of the commissioner to cease and desist after it has become final and while it is in effect shall forfeit to the people of the Commonwealth a sum not to exceed one thousand dollars (\$1000) for each violation which may be recovered by a civil action In determining the amount of such penalty consideration shall be given to whether or not such violation was wilful

Section 10 Procedure Additional The powers vested in the commissioner by this act and the forfeiture provided for violation of an order to cease and desist made pursuant thereto shall be in addition to any other procedures penalties fines or forfeitures authorized by law with respect to the methods acts and practices hereby declared to be unfair or deceptive

Section 11 Constitutionality If any section subsection subdivision paragraph sentence or clause of this act is held invalid or unconstitutional such decision shall not affect the remaining portions of this act

Section 12 Short Title This act shall be known and may be cited as "The Insurance Unfair Practices Act"

Section 13 Laws Repealed All acts and parts of acts inconsistent herewith are hereby repealed

Section 14 Effective Date The provisions of this act shall become effective the first day of January one thousand nine hundred forty-eight

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barr,	Farrell,	Letzler,	Tarr,
Becker,	Frazier,	Lord,	Taylor,
Berger,	Geltz,	Mahany,	Tyler,
Blass,	Haluska,	Mallery,	Wade,
Carr,	Hare,	Rahauser,	Wagner,
Chapman,	Heyburn,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stierel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,

NAYS—1

Holland.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1057, as follows:

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politics to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare and declaring the necessity of creating public bodies corporate and politics to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" is hereby amended to read as follows

Section 22 Aid from Federal Government In addition to the powers conferred upon an Authority by other provisions of this act an Authority is empowered to borrow money or accept grants or other financial assistance from the Federal Government for or in aid of any housing project within its area of operation to take over or lease or

manage any housing project or undertaking constructed or owned by the Federal Government and to these ends to comply with such conditions and enter into such mortgages trust indentures leases or agreements as may be necessary convenient or desirable It is the purpose and intent of this act to authorize every Authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in the undertaking construction maintenance or operation of any housing project by such Authority Provided That upon completion of an application of an authority for financial assistance of the Federal Government in connection with a housing project the authority shall present to the State Board of Housing The said application and supporting data The application and data shall be presented by the State Board of Housing within twenty (20) days from the receipt thereof to the Federal agency in question with the recommendations of the State Board of Housing should the State Board of Housing fail within the said twenty (20) day period to forward said application and document to the Federal Government or its appropriate agency the authority shall be permitted to present its application to the Federal Government or its agency during the pendency of an application to the Federal Government or its agency for its assistance as aforesaid The authority shall file with the State Board of Housing copies of all correspondence agreements and documents that may be exchanged between the authority and representatives of the Federal Government in connection with the project

Section 2 Said act is hereby amended by adding after section twenty-two thereof a new section to read as follows

Section 22.1 Aid from State Government In addition to the powers conferred upon an Authority by other provisions of this act an Authority is empowered to act as agent of the State or any of its instrumentalities or agencies for the public purposes set out in this act

Further to effectuate the purposes and provisions of this act and in a manner requisite therefor an Authority is empowered to receive accept or borrow any and all funds appropriated given granted loaned or donated to it and to receive and accept any real estate and appurtenances thereto given granted or donated to it by the State or any of its instrumentalities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I would like to focus some attention on House Bill 1057. It provides for the channeling of all federal assistance to public housing authorities through the State Board of Housing, an agency of the Department of Commerce.

The communities within the Commonwealth expressing a desire, through their duly elected officials, for federal assistance in providing adequate sanitary housing for its needier citizens, contract directly with the federal government. This method of doing business has proven, through the years, both economical and efficient—so why this state interference at this time? It is the federal government which provides the assistance—the state provides not one iota.

Were the state sincerely interested in solving the housing crisis in Pennsylvania and show deep concern over the fate of tens of thousands of her World War II heroes, who are in immediate need of decent, safe and sanitary shelter, and were it to provide a state program of assistance, then I would be among the first to vote in favor of this bill, but here is the record.

During the current biennium the State Board of Housing is operating under a measely budget of \$75,000, a budget which has forced the board to function as a more or less paper organization. It now lacks the proper personnel to perform the additional duties this bill would force upon it. But this is only part of the story. For the next biennium the board's funds will be reduced by \$50,000. Since it will have to operate with a \$25,000 budget the present personnel will be further reduced. This simply does not make sense, and I think the gentlemen on the other side will agree with me. So there are but one of two conclusions we can draw: either, first, the parties responsible for drafting this measure were in high hopes of realizing a state housing program, and placed the cart before the horse, or, second, and this I prefer not to believe, but the record will speak for itself, the Department of Commerce must be more interested in hamstringing and curtailing all future public housing in Pennsylvania, than in promoting decent and sanitary shelter for the many thousands of our ex-fighting men who are so ill-housed.

As things now stand, this bill, if enacted into law, will at best do naught but hinder, harass and impede the present efficient and businesslike relationships existing between our local communities and the federal government.

Mr. President, I ask my colleagues to vote against this bill. In case the leadership on the other side does not know, Governor Duff recommended in his budget \$75,000 for the State Board of Housing, but in the general appropriation bill now before the House, House Bill 1343, page 14, to the Department of Commerce, for the payment of salaries, wages and compensation for the proper conduct of the work of the State Board of Housing, the sum of \$25,000 only is provided.

Therefore, Mr. President, if you pass this bill with only a \$25,000 appropriation the department can not carry out its work. I ask my colleagues to vote against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—15

Barr,	Holland	Leader,	Stiefel,
Dent,	Jaspan	Rahauser,	Tarr,
DiSilvestro,	Klein,	Rosenfeld,	Woodring,
Haluska	Lane,	Ruth,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1110, as follows:

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" are hereby amended to read as follows

Section 2 Each company shall pay an excise tax for the use of the highways of this Commonwealth For the purpose of ascertaining the amount to be paid each such company shall on or before the first [days] day of February [and August] of each year file with the Department of Revenue on forms prescribed and furnished by it a report under oath or affirmation setting forth (1) The name and address of the company owning or operating such motor vehicle or vehicles (2) the location of the principal place of business of such company (3) the name and address of the person in this Commonwealth upon whom service of process or other notice may be had against such company (4) a schedule if any or if not a description of the routes over which such company shall have operated over highways in this Commonwealth during the period for which the report is filed (5) the number of miles of all routes over which such motor vehicle or motor vehicles shall have been operated by such company during the period for which the report is filed (6) the number of miles within this Commonwealth of all such routes so operated during the period for which the report is filed (7) the amount of gross receipts of such company from all sources upon its operations during the period for which the report is filed and such other relevant information as the Department of Revenue may require in connection with the settlement of the excise tax hereinafter provided for [each period of six months] the calendar year immediately preceding the first [days] day of January [and July] of each year

Section 3 The amount of excise tax [semiannually] annually to be paid by each company specified in section one of this act shall be as follows (1) In case of a company operating routes which are entirely within the limits of this Commonwealth eight (8) mills upon the dollar upon the gross receipts of such company from all operations for the period covered by such report and (2) In case of a company operating over routes when only a portion of such routes lies within this Commonwealth eight (8) mills upon the dollar upon such portion of the gross receipts of such company as is represented by the ratio that the number of miles of routes operated in this Commonwealth by such company during the period for which the report is filed bears to the total number of miles of all routes operated by such company during said period The provisions hereof shall not be construed as exempting any company from complying with the laws relating to fees payable to the Department of Revenue for the registration of motor vehicles In the event however that an excise tax shall be paid by any company to any city of this Commonwealth for the use of its highways during the period for which the report is filed the amount of such tax so paid may be deducted from the amount of tax payable to the Commonwealth as above computed upon satisfactory proof to the Department of Revenue of such payment and in addition thereto where any such company shall have paid to the Department of Revenue a registration fee or fees as provided for by the laws of this Commonwealth upon any motor vehicle or motor vehicles used in the business of carrying passengers and property for hire over the highways of this Commonwealth it shall receive a credit in each settlement of

ross receipts tax made hereunder to the extent of [fifty or cent of] the total amount of the registration fee or es paid for the calendar year of which the period covered by the settlement was a part

And said bill having been read at length the third time, nd agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Heluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Rahausen,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DISilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
			Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1112, as follows:

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political

subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" as last reenacted and amended by the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1074) is hereby further amended to read as follows

Section 2

* * * *

(b) Any county city ward borough township institution district or other political subdivision presently operating or maintaining in whole or in part any existing institutions for the care and maintenance of indigent persons shall cease to operate and shall vacate such institutions and forthwith surrender all such institutions to the Commonwealth but not later than the thirtieth day of November one thousand nine hundred forty-seven Provided however That the transfer of title and the vacating of any of such institutions shall not be made until the first notice shall have been given by the Commonwealth to the political subdivision that owns such institution that the Commonwealth elects to purchase such institution and second that the Commonwealth and such political subdivision have agreed on the purchase price and that the purchase price therefor has been paid in full so as to enable the political subdivision to enter into contracts for the building or purchase of land and suitable building or buildings for the care of its indigents and third that possession of such institution shall not be given to the Commonwealth until such time as it may be mutually agreed to by the Commonwealth and such political subdivision The purchase price agreed upon as aforesaid may in addition to the payment of money by the Commonwealth also include the transfer by the Commonwealth to the institution district of the county in which the same is located for the care and maintenance of indigent persons of lands buildings furnishings equipment and other chattels heretofore used by the Commonwealth for the care of mental patients upon certification by the Department of Welfare approved by the Governor that the same are no longer required by the Commonwealth for the purposes of a mental hospital An authenticated copy of such certification and approval with reference to the provisions of this act when duly recorded in the office of recorder of deeds of the proper county shall operate as a good and sufficient deed of conveyance and assignment of such property from the Commonwealth to the institution district of said county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,

Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,

Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,

Mahany,
Mallery,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,

Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1173, as follows:

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forest and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one two three and five of the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forest and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" are hereby amended to read as follows

An Act authorizing and regulating the growth sale and distribution of forest tree seedlings [and] transplants shrubs and vines by the Department of Forest and Waters regulating the use of such forest tree seedlings [and] transplants shrubs and vines and imposing duties upon the Department of Agriculture with regard to the enforcement of this act

Section 1 Be it enacted &c That the Department of Forest and Waters is hereby authorized to grow forest tree seedlings [and] transplants shrubs and vines and to sell the same at a sum not to exceed the average cost of production and shipping to persons partnerships and corporations desiring to plant them The moneys collected by the Department from the sale and shipping of trees shrubs and vines under this act shall be paid into the State Treasury [for the use of the Commonwealth]

Section 2 Before the department shall sell any trees or shrubs or vines to any person partnership or corporation it shall require such person partnership or corporation to enter into an agreement or contract with the department in which such person partnership or corporation shall agree (a) That all forest tree seedlings and transplants so purchased shall be planted in Pennsylvania for soil erosion control reclamation of areas affected by open pit mining and for wildlife food and cover (b) That the trees shrubs or vines with roots attached will not be sold by the purchaser for removal from the land [until they become large enough for use as wood products] (c) That a report on the planting will be furnished by the planter when requested by the depart-

ment (d) That the planted area will be protected as far as possible from fire grazing and trespassing (e) That if such trees shrubs or vines are sold or offered for sale for ornamental purposes the person partnership or corporation shall become liable to the Commonwealth for the payment of a penalty equal to three times the value of the trees sold and (f) Such other conditions and stipulations as the Department of Forests and Water may require

Section 3 No trees shrubs or vines shall be sold by the Department under the provisions of this act that are to be planted for [windbreaks] hedges table trees potted tree or for shade or ornamental use

Section 5 It shall be unlawful for the Department of Agriculture to grant a permit certificate of inspection under section six [paragraph b of the act approved the tenth day of March one thousand nine hundred and twenty-seven entitled "An act relating to the protection of agriculture and horticulture from plant pests and amending revising consolidating and changing the law relating thereto defining the powers and duties of the Department of Agriculture relating thereto providing penalties and repealing present laws"] of the act approved the twenty-first day of April one thousand nine hundred thirty-seven (P. L. 318) known as "The Pennsylvania Plant Pest Act of 1937" and its amendments to landowners who are about to sell or remove unlawfully tree originally supplied from the State nurseries for future timber or shrubs and vines originally supplied for soil erosion control reclamation of areas affected by open pit mining or for wildlife food and cover

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,

Farrell,
Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,

Leader,
Letzler,
Lord,
Mahany,
Mallery,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,

Tallman,
Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1174, as follows:

An Act to further amend clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments

boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended to read as follows

Section 1802 Forest Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

* * * * *

(j) To distribute young forest trees shrubs and vines as provided by law to those desiring to plant them

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49.

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Rehauser,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Woife,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
			Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

HOUSE BILL No. 631 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. TALLMAN. Mr. President, I call from the Third Reading Postponed Calendar House Bill No. 631, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 631, as follows:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as "The Pennsylvania Seed Act of 1947"

Section 2 For the purpose of this act the following terms shall have the meanings ascribed to them in this section unless the context clearly requires otherwise

(1) The terms "Department" and "Secretary" shall mean respectively the Pennsylvania Department of Agriculture and the Secretary of said department

(2) The term "agricultural seeds" shall include the seeds of grass forage cereal and fiber crops and any other kinds of seeds commonly recognized within this State as agricultural or field seeds and mixtures of such seeds

(3) The term "vegetable seeds" shall include the seeds of those crops which are grown in gardens or on truck farms and are generally known and sold under the name of vegetable seeds in this State

(4) The term "weed seeds" shall include the seeds of all plants generally recognized as weeds within this State and shall include prohibited weed seeds and noxious weed seeds

(5) The term "prohibited weed seeds" shall mean the seeds of weeds which when established are highly destructive to the growth of desirable plants and difficult to control in the State by ordinary cultural practices For the purpose of this act the seeds of the following plants shall be considered prohibited weed seeds Bindweed (*Convolvulus arvensis*) or the seeds of any other plant when declared to be prohibited weed seeds by the Secretary

(6) The term "noxious weed seeds" shall mean the seeds of such plants as are objectionable to the agriculture and horticulture of the State by interfering with the growth of desirable plants and shall include the seeds of the following plants Dodder (*Cuscuta* spp) Horse nettle (*Solanum Carolinense*) Wild garlic (*Allium vineale*) Wild onion (*Allium canadense*) Perennial sow thistle (*Sonchus arvensis*) or the seeds of any other plant when declared to be noxious weed seeds by the secretary

(7) The term "labeling" shall include all labels and other written printed or graphic representations in any form whatsoever accompanying and pertaining to any seed whether in bulk or in containers and includes invoices

(8) The term "advertisement" shall mean all representa-

tions other than those on the label disseminated in any manner or by any means relating to seed within the scope of this act

(9) The term "inert matter" shall mean broken seeds when one-half or less seeds of legumes or crucifers with the seed coats removed undeveloped and badly injured weed seeds such as sterile dodder which upon visual examination are clearly incapable of growth empty glumes of grasses attached sterile culms of grasses (which must be removed from the fertile glumes except in Rhodes grass) dirt stones chaff fungus bodies (such as ergot and other sclerotia and smut balls) and any matter other than seeds shall be considered inert matter

(10) The term "hard seed" shall mean such seed as remained unspouted and hard at the end of the prescribed terms of germination due to the physical makeup of the seed coat or other reasons which prevent germination within the germination test period

(11) The term "pure seed" shall include all seeds of the kind or kind and variety or strain under consideration whether shriveled cracked or otherwise injured and pieces of broken seeds larger than one-half of the original size

(12) The term "mixture" or "mixed" shall mean seeds consisting of more than one kind or variety when each is present in excess of five per cent (5%) of the whole

(13) The term "kind" means one or more related species or subspecies which singly or collectively is known by one common name such as corn beans and wheat

(14) The term "variety" means a subdivision of a kind characterized by growth plant fruit seed or other characteristics by which it can be differentiated from other sorts of the same kind such as Lancaster Sure Crop Corn and Sweep Stakes Corn

(15) The term "certified seed" shall include seed potatoes and such agricultural and vegetable seeds as shall have been inspected during their period of growth and preparation for market by the secretary or an agent and found to conform to the requirements on the laws and regulations governing seed certification in the State or such seed potatoes and agriculture and vegetable seeds as shall have been inspected during their period of growth and preparation for market by legally constituted authority in accordance with the laws of the state in which such seed was grown

(16) The term "lot of seed" means a definite quantity of seed identified by a lot number or mark every portion or bag of which is uniform for the factors which appear in the labeling within permitted tolerances

(17) The term "stop-sale" shall include any written or printed notices or order given or issued by the secretary or an agent to the owner or custodian of any lot of agricultural or vegetable seeds in the State directing such owner or custodian not to sell offer or expose such seeds for sale within the State until the requirements of this act and the rules and regulations promulgated under authority hereof shall have been complied with an a written release has been issued

(18) The term "processing" shall mean the separation and removal of weed seeds of other crops or inert matter from a lot of seed in amounts sufficient to bring the lot into conformity with the requirements of this act

(19) The term "hybrid seed" shall mean the first generation seed of a cross involving two or more inbred lines or clones produced under controlled pollination

(20) The term "agent" "inspector" or "deputy", shall mean any person duly authorized or appointed by the Secretary of Agriculture to act as the representative of the department in carrying out any of the provisions of this act

Section 3 It shall be unlawful to sell offer for sale or expose for sale or transport any agricultural seeds for seeding purposes in bulk package or containers of ten pounds or more unless there shall be delivered to the purchaser or unless the package or container in which the same shall be exposed or offered for sale or transported shall have attached thereto in a conspicuous place on the exterior thereof a tag or label on which shall be plainly

and legibly written or printed in the English language the following information relating to such seeds

(1) Commonly accepted name of (i) kind or (ii) kind and variety or (iii) identifying symbol or number of hybrids of each agricultural seed component in excess of five per cent (5%) of the whole and the percentage by weight of each in the order of its predominance Where more than one component is required to be named the word "mixture" or the word "mixed" shall be shown conspicuously on the label

(2) Lot number

(3) Country and state of origin of certified seed and agency responsible for its certification

(4) Country and state of origin if known of alfalfa red clover and field corn If the origin is unknown that fact shall be stated

(5) Percentage by weight of all weed seeds

(6) The name and number of each kind of noxious weed seeds or bulblets per ounce in the following group Agrostis spp Rhodes grass Bermuda grass timothy orchard grass fescues alsike and white clover reed canary grass Dallis grass ryegrass foxtail millets alfalfa red clover sweet clovers lespedeza smooth brome tall oat grass crimson clover Brassica spp flax Agropyron spp and other agricultural seeds of similar size and weight or mixtures within this group and

(7) The name and number of noxious weed seeds or number of bulblets per pound in a group composed of proso wheat Sudan grass oats rye barley buckwheat sorghums vetches and other agricultural seeds of a size and weight similar to or greater than those within this group or any mixtures within this group

(8) Percentage of weight of agricultural seeds (which may be designated as "crop seeds") other than those required to be named on the label

(9) Percentage by weight of inert matter

(10) For each named agricultural seed (i) the percentage of germination exclusively of hard seed (ii) the percentage of hard seed if present and (iii) the calendar month and year the test was completed to determine such percentages The additional statement "total germination and hard seeds" may be stated after the foregoing if desired

(11) Packages containing seeds treated with a poisonous material shall be plainly marked in contrasting color with the information that the seeds contained therein have been "treated with poison"

(12) Name and address of the person who labeled said seed or who sells offers or exposes said seed for sale within this State

The provisions of this section shall not be construed to prohibit the sale in bushel lots or less by a retailer to the ultimate user when such sales are made from original packages bearing the information required by this section

Section 4 It shall be unlawful to sell offer for sale or expose for sale any vegetable seeds within this State for sowing purposes in bulk package or container unless there shall be delivered to the purchaser or unless the package or container in which the same shall be exposed or offered for sale shall have attached thereto a tag or label on which shall be plainly written or printed in the English language the following information relating to such seeds

(1) Name of kind and variety of seed

(2) Name and number per ounce of noxious weed seeds present

(3) For seeds which germinate less than the standard last established by the Secretary of Agriculture under this act

(a) Percentage of germination exclusive of hard seed

(b) Percentage of hard seed if present

(c) The calendar month and year the test was completed to determine such percentages

(d) The words "below germination standard" in not less than eight-point type

(4) Name and address of the person who labeled said seed or who sells offers or exposes said seed for sale within this State

Section 5 It shall be unlawful for any person to sell

offer for sale or expose for sale any agricultural or vegetable seed within this State

(1) Unless the test to determine the percentage of germination required by sections three and four shall have been completed within a nine month period exclusive of the calendar month in which the test was completed immediately prior to sale exposure for sale or offering for sale or transportation

(2) Containing prohibited weed seeds

(3) Containing noxious weed seeds in excess of established tolerance

(4) Containing weed seeds collectively in excess of three per cent by weight

(5) Not labeled in accordance with the provisions of this act or having false or misleading labeling

(6) Pertaining to which there has been a false or misleading advertisement

Section 6 It shall be unlawful for any person offering seed for sale within this State

(1) To detach alter deface or destroy any label provided for in this act or in the rules and regulations made and promulgated thereunder or to alter or substitute seed in a manner that may defeat the purposes of this act

(2) To disseminate any false or misleading advertisement concerning agricultural or vegetable seed in any manner or by any means

(3) To hinder or obstruct in any way authorized person in the performance of his duties under this act

(4) To fail to comply with a "stop-sale" order

Section 7 The provisions of sections three and four shall not apply to potatoes or grain not intended for seeding purposes or to seed in storage in or consigned to a seed cleaning or processing establishment for cleaning or processing Provided That any labeling or other representation which may be made with respect to such unclean seed shall be subject to the provisions of this act

Section 8 (a) The department is hereby authorized and empowered to enforce all the provisions of this act and shall have power to prescribe modify and enforce such reasonable rules regulations standing tolerances and orders as in the judgment of the secretary shall be necessary to carry out the provisions of this act

(b) The secretary or any of his duly authorized agents inspectors or deputies in carrying out the provisions of this act

(1) Shall have full access within reasonable hours to any premises building vehicle vessel car or other place which may be necessary or desirable for him to go

(2) Shall sample inspect make analysis of and test agricultural and vegetable seeds transported sold offered or exposed for sale within this State for seeding purposes at such time and place and to such extent as may be deemed necessary to determine whether said agricultural or vegetable seeds are in compliance with the provisions of this act

(3) Shall issue and enforce a written or printed "stop-sale" order to the owner or custodian of any lot of agricultural or vegetable seed which may be found in violation of any of the provisions of this act to prohibit further sale of such seed until such officer has evidence that the law has been complied with Provided That in respect to seeds which have been denied sale as provided in this clause the owner or custodian of such seeds shall have the right to appeal from such order to a court of common pleas of the county where such seeds are located to review the order appealed from

(4) May upon request by the owner or custodian of seeds held under a "stop-sale" order issue a written permit for the sale of such seeds for feed or for the purpose of processing

(c) The department is hereby empowered and authorized

(1) To establish and maintain seed testing facilities to employ qualified persons and to incur such expenses as may be necessary to carry out the provisions of this act

(2) To make purity and germination tests of seeds for farmers and dealers on request to prescribe rules and regulations governing such testing and to fix and collect charges for the tests made All fees collected under this

provision shall be paid by the secretary into the State Treasury

(3) To require that each person handling seed subject to this act shall keep for a period of two years complete records of each lot of seed handled When there is evidence of a violation of this act bills of lading invoices records of purchases and sales analyses and any other records pertaining to the lot involved shall be accessible for inspection by the secretary or his agent

(4) To publish in bulletins or reports any and all information obtained from tests or analyses made under the provisions of this act which the secretary may deem proper for publication in the interest of the public including the names and addresses of any persons who have sold offered for sale or exposed for sale any agricultural seeds so tested or analyzed Provided however That he shall not publish the name or address of any citizen who shall have submitted samples of seeds for test or analysis but who has not sold offered for sale or exposed for sale any such seeds

Section 9 Any lot of agricultural or vegetable seed not in compliance with the provisions of this act shall be subject to seizure on complaint of the secretary or his duly authorized agent inspector or deputy to a court of competent jurisdiction in the area in which the seed is located in the event that the court finds the seed to be in such violation of the act and orders the condemnation of said seed it shall be denatured processed destroyed relabeled or otherwise disposed of in compliance with the law Provided That in no instance shall such disposition of said seed be ordered by the court without first having given the claimant an opportunity to apply to the court for the release of said seed or permission to process or relabel it to bring it into compliance with the act

Section 10 Any person violating neglecting or failing to comply with any provisions or requirements of this act or any rule or regulation made or any notice given pursuant thereto upon conviction thereof in summary proceeding shall be sentenced to pay a fine of not more than two hundred dollars for each offense and in default of the payment of said fine and costs shall undergo imprisonment for a period not to exceed thirty days

Section 11 The act approved the twenty-sixth day of April one thousand nine hundred twenty-one (P. L. 316) entitled "An act regulating the selling offering or exposing for sale of agricultural seeds and mixtures of the same for seeding purposes forbidding the sale of seeds unfit for seeding purposes and providing for the prohibition of such sales by injunction providing for the taking and examination of samples of agricultural seeds by the Secretary of Agriculture and his agents and the publication of information gained from such examinations providing for the enforcement of the act and providing penalties for its violation" is hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODRING. Mr. President, House Bill 631 is known as the seed bill. It endeavors to define certain types of grain and cereal seeds, and set up certain standards of labeling and packaging. What House Bill 631 fails to do is to comprehend that in Pennsylvania a great many farmers for a great many years—I guess if the truth were known, all the way back to the very first two farmers who ever lived and worked in the state of Pennsylvania—have adopted the custom of exchanging seeds, themselves, either by way of barter or trade, or by way of purchase and sale.

If House Bill 631 is enacted into law, my neighbor farmer will be unable to sell to me oats for seeding my lands or the wheat or the grain or any of the other seeds

which I, a neighbor farmer, might need and might feel called upon to ask of him.

It seems to me we are going all out for the corporations—and I respect the need for and the essential quality of our industries and corporations—but it seems to me in this bill we have forgotten the man who in the first instance produces the work and makes the corporations possible; we are forgetting the welfare of the farmer, and a bill such as this, if enacted, is going to work a real hardship on a lot of our good farm folks. More than that, Mr. President, it is going to drive them to bootlegging seeds, and our farmers are good, upright, self-respecting, law-abiding citizens and they do not want to be driven underground, they want to sell and exchange their seeds among themselves as they see fit, and they do not want to be tagged with being violators or criminals because of the enactment of this bad law. I think you are passing a very serious bill here, I think it is going to do our farmers a great deal of harm and I am very much against the bill.

Mr. RAHAUSER, Mr. President, I was very severely criticized for being in favor of the oleomargarine bill, No. 190, and pointing out that my interests were with the farmers of Pennsylvania. If I know anything about legislation, Bill No. 190 would in no way hurt the farmer, while this bill most certainly would, and I most vociferously am against this bill.

Mr. HEYBURN. Mr. President, I have in my hand a letter from the Deputy Secretary of Agriculture, addressed to the Chairman of the Senate Committee on Agriculture.

I raised this very question a couple of weeks ago, Mr. President, and that is the reason the bill was placed on the postponed calendar, and I had conversations with some of the Senators on the other side at the time.

Mr. President, this letter is addressed, as I said, to the Chairman of the Senate Committee on Agriculture, from Mr. W. S. Hagar, Deputy Secretary of Agriculture, and it reads as follows:

"Dear Senator Scarlett:

"Referring to our conversation this morning concerning House Bill 631, Printer's No. 556, the question was raised as to this law affecting farmers relative to the sale of agricultural seeds.

"I am attaching the present Seed Law, Act No. 159, approved the 26th day of April, 1921, in which you will note that the new law, Section 3, reads practically the same as the old law, Section 4, and does not put additional burdens upon farmers for local sales of seeds.

"The new law, however, includes vegetable seeds which were excluded by the old law. This exclusion consequently made Pennsylvania a good place to dump inferior vegetable seeds.

"The new law sets up in addition, certain requirements for the sale of certified and hybrid seeds.

"House Bill 631 was requested by farm groups and specially our seed growers' association.

"This new piece of legislation would bring Pennsylvania law in line with the laws of neighboring states, making possible more uniformity in the handling of seeds and encourage certified production on an organized basis in Pennsylvania. This is an industry that can be developed and should be developed for our farmers who are specially interested in better seed production and which is not covered under the old law.

"I trust this explanation will assist you in explaining the matter to those persons who raised the question as to farmers selling seeds. I might state further that we have never, to my knowledge, interfered with farmers selling seeds to neighbors."

That is the letter of explanation, Mr. President, and it comes from the Deputy Secretary of Agriculture, addressed to Senator Scarlett, Chairman of the Senate Committee on Agriculture.

Mr. WOODRING. Mr. President, I certainly do not doubt for one minute the sincerity of our Secretary of Agriculture, but I do not know what prompted his writing the letter, I do not know what questions were asked of him. I know Mr. Horst very well and have great admiration for him.

I do know that whoever wrote this bill did not have the farmers of Pennsylvania in mind, but they very clearly did have in mind the commercial seed houses—and I have not anything against commercial seed houses, I deal with them every year and they, too, must get along under our laws.

Section 4 of House Bill 631, to which the gentleman from Delaware referred, clearly says "It shall be unlawful to sell, offer for sale or expose for sale any vegetable seeds within this state . . ." I do not care whether our Secretary of Agriculture says we have never enforced this law against the farmers of Pennsylvania, but the law clearly says it is unlawful, and if it is unlawful, then by passing this type of legislation we are driving all of our farmers underground. Our farmers must still be able to sell, barter or exchange their seeds between each other.

I know there are hybrid seeds and there are certain kinds of quality seeds that farmers bring in and they buy them from a seed catalogue house, but once they are brought into the rural community they are very freely and quickly exchanged among neighbors, so that all in the community flourish. There is no selfishness among farmers. Farmers are the real cooperative people of Pennsylvania and of the United States, they are the salt of the earth, and they are people who ought to be protected, and we are not protecting them when we pass a bill like this.

Mr. HEYBURN. I thank the gentleman from Northampton because I happen to be some of the "salt."

Mr. President, I have gotten from the Chairman of the Committee on Agriculture a copy of the present act and in section 4 it reads as follows—this is the present law:

"It shall be unlawful to sell, offer for sale, or expose for sale any agricultural seeds, exclusive of vegetable seeds, as defined in Section I of this act, for seeding purposes, in bulk, package, or containers of ten pounds or more, unless there shall be delivered to the purchaser . . ."

Mr. President, as I understood the comment of the gentleman from Chester a few moments ago, there could not be any exclusion here and still have a constitutional act. That is what the Senator from Chester County, who is chairman of the Committee on Agriculture, advised me.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Becker,

Donlan,

Lord,

Tyler,

Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
DiSilvestro,
Doehla,

Farrell,
Frazier,
Geltz,
Hare,
Heyburn,
Homsheer,
Kephart,
Letzler,

Mahany,
Mallery,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,

Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,

NAYS—13

Barr,
Dent,
Haluska,

Holland,
Jaspan,
Klein,

Lane,
Leader,
Rahauser,

Rosenfeld,
Stiefel,
Tari,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

The PRESIDENT. The Chair asks Senator Taylor to take the Chair and preside.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

The PRESIDENT pro tempore. The Chair at this time, calls to the rostrum the gentleman from Allegheny, Mr. Walker, to preside.

The PRESIDING OFFICER (John M. Walker) in the Chair.

HOUSE BILL No. 673 CALLED UP

Mr. WADE. Mr. President, I now call up House Bill No. 673, page 5 of the Third Reading Calendar, which was passed over temporarily.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 673, entitled:

An Act to further amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 1 (Sec. 14.1), page 2, line 14, by striking out the word "or" and inserting in lieu thereof "and".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

SECOND READING CALENDAR

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to certain persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment to use membership qualifications as a means of limiting the number of employees available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 280, entitled:

An Act relating to relations between employers and employees creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration providing for the conducting of hearings by a Commission in disputes in industries affecting the public interest limiting right to strikes and lock-outs providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 2, page 4, line 1, by inserting after the word "thereof" "or any authority or the public school system or any public utility employers engaged in rendering electric gas or water services to the public"; amend Sec. 2, page 4, line 15, by inserting after the word "not" "or (3) any employes subject to the Federal Railway Labor Act as amended from time to time or (4) any employes of The United States or the Commonwealth or any political subdivision thereof or any authority or the public school system or (5) any employes of public utilities engaged in rendering electric gas or water services to the public"; amend Sec. 2, page 6, lines 1 to 3 inclusive, by striking out all of said lines; amend Sec. 2, page 6, line 4, by striking out "(10)" and inserting in lieu thereof, "(9)"

They were agreed to.

The section was agreed to as amended.

The third fourth and fifth sections were read and agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments.

Amend Sec. 6, page 9, line 14, by striking out the words "Not Affecting Public Interest"; amend Sec. 6, page 9, line 16, by striking out the words "not affected with the public interest"; amend Sec. 6, page 10, lines 4 and 5, by striking out the words "to the beginning of negotiations It shall thereupon" and inserting in lieu thereof "thereto within such period it shall"; amend Sec. 6, page 10, line 10, by inserting after the word "of" "such"; amend Sec. 6, page 10, line 10, by striking out the word "negotiation" and inserting in lieu thereof "period"; amend Sec. 6, page 12, line 9, by inserting after the word "involved" "which vote shall be held in the immediate vicinity of such employes' entrances"; amend Sec. 6, page 12, line 13, by inserting after the word "vote", "therein and a majority of those voting vote".

They were agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 7, page 12, lines 15 to 20 inclusive, by striking out all of said lines; amend Sec. 7, page 13, lines 1 to 20 inclusive, by striking out all of said lines; amend Sec. 7, page 14, lines 1 to 19 inclusive, by striking out all of said lines; amend Sec. 7, page 15, lines 1 to 20 inclusive, by striking out all of said lines; amend Sec. 7, page 16, lines 1 to 19 inclusive, by striking out all of said lines; amend Sec. 7, page 17, lines 1 to 17 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 8, page 17, line 18, by striking out the figure "8" and inserting in lieu thereof "7,"

It was agreed to.

The section was agreed to as amended

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 9, page 18, lines 14 to 20 inclusive, by striking out all of said lines; Amend Sec. 9, page 19, lines 1 to 19 inclusive, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 10, page 19, line 20, by striking out the figure "10" and inserting in lieu thereof "8"; Amend Sec. 10, page 20, lines 18, 19 and 20, by striking out the words "which sub-" in line 18, all of line 19 and the words "the commission under section ten of this act" in line 20.

Amend Sec. 10, page 21, by inserting between lines 3 and 4 "(b) In case of contumacy or refusal to obey a subpoena issued under subsection (a) of this section on application by the temporary arbitration tribunal the court of common pleas for the county where the proceeding is pending or in which the person guilty of such contumacy or refusal obey is found or resides or transacts business shall have jurisdiction to issue an order requiring such a person to appear before the temporary arbitration tribunal to produce evidence as ordered or to give testimony touching the matter under investigation or in question. Failure to obey such order of the court may be punished by the court as a contempt"; Amend Sec. 10, page 21, line 4, by striking out "(b)" and inserting in lieu thereof "(c)"; Amend Sec. 10, page 21, line 10, by striking out "(c)" and inserting in lieu thereof "(d)".

They were agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 11, page 21, line 15, by striking out the figure "11" and inserting in lieu thereof "9".

It was agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 12, page 22, line 19, by striking out the figure "12" and inserting in lieu thereof "10".

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 13, page 23, line 5, by striking out the figure "13" and inserting in lieu thereof "11".

It was agreed to.

The section was agreed to as amended.

The fourteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 14, page 24, line 1, by striking out the figure "14" and inserting in lieu thereof "12".

It was agreed to.

The section was agreed to as amended.

The fifteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 15, page 24, line 7, by striking out figure "15" and inserting in lieu thereof "13".

It was agreed to.

The section was agreed to as amended.

The sixteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 16, page 24, line 13, by striking out the figure "16" and inserting in lieu thereof "14. Severability Clause —".

It was agreed to.

The section was agreed to as amended.

The seventeenth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 17, page 25, line 10, by striking out the figure "17" and inserting in lieu thereof "15".

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HEYBURN offered the following amendment:

Amend title, page 1, lines 4, 5 and 6 of title from top of page, by striking out the words "providing for the conduct" in line 4, all of line 5, and the words "the public interest" in line 6.

It was agreed to.

The title was agreed to as amended.

The table of contents was read.

On the question,

Will the Senate agree to the table of contents?

Mr. HEYBURN offered the following amendments:

Amend Table of Contents, page 2, line 6 from top of page, by striking out the figure "4"; Amend Table of Contents, page 2, line 9 from top of page by striking out the words "not affecting public interest"; Amend Table of Contents, page 2, line 10 from top of page by striking out all of said line; Amend Table of Contents, page 2, line 11 from top of page by striking out the figure "8" and inserting in lieu thereof "7"; Amend Table of Contents, page 2, line 13 from top of page, by striking out all of said line; Amend Table of Contents, page 2, line 14 from top of page, by striking out the figure "10" and inserting in lieu thereof "8"; Amend Table of Contents, page 2, line 15 from top of page, by striking out the figure "11" and inserting in lieu thereof "9"; Amend Table of Contents, page 2, line 17 from top of page, by striking out the figure "12" and inserting in lieu thereof "10"; Amend Table of Contents, page 2, line 18 from top of page, by striking out the figure "13" and inserting in lieu thereof "11"; Amend Table of Contents, page 2, line 19 from top of

page, by striking out the figure "14" and inserting in lieu thereof "12"; Amend Table of Contents, page 2, line 20 from top of page, by striking out the figure "15" and inserting in lieu thereof "13"; Amend Table of Contents, page 3, line 1 on page, by striking out the figure "16" and inserting in lieu thereof "14"; Amend Table of Contents, page 3, line 2 on page, by striking out the figure "17" and inserting in lieu thereof "15".

They were agreed to.

The table of contents was agreed to as amended.

And said bill having been read at length the second time, as amended,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions.

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 361, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearing and elections and certify as to representatives of employes for purposes of collective bargaining em-

powering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 2 (Sec. 3), page 6 lines 11 and 12, by striking out "(7) the determination of policies affecting the selection of employees"; Amend Sec. 2 (Sec. 3), page 6, line 12, by striking out the figure "(8)" and inserting in lieu thereof "(7)"; Amend Sec. 2 (Sec. 3), page 6, line 14, by striking out the figure "(9)" and inserting in lieu thereof "(8)"; Amend Sec. 2 (Sec. 3), page 6, line 16, by striking out the figure "(10)" and inserting in lieu thereof "(9)".

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 3 (Sec. 6), page 11, line 7, by striking out the words "one person" and inserting in lieu thereof "three persons"; Amend Sec. 3 (Sec. 6), page 11, line 9, by striking out the words "fail to make" and inserting in lieu thereof "interfered with"; Amend Sec. 3 (Sec. 6), page 11, line 10, by striking out the word "perform" and inserting in lieu thereof "to interfere with the performance of"; Amend Sec. 3 (Sec. 6), page 11, line 10, by inserting after the word "thereon" the following: "by others"; Amend Sec. 3 (Sec. 6), page 12, line 13, by striking out the word "twelve" and inserting in lieu thereof "ten"; Amend Sec. 3 (Sec. 6), page 13, line 14, by striking out the words "seven eight and fifteen" and inserting in lieu thereof "six and thirteen".

They were agreed to.

The section was agreed to as amended.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendments:

Amend Sec. 4 (Sec. 7), page 16, line 15, by striking out the words "sections seven and eight" and inserting in lieu thereof "section six"; Amend Sec. 4 (Sec. 7), page 17, line 2, by striking out the word "nine" and inserting in lieu thereof "seven".

They were agreed to.

The section was agreed to as amended.

The fifth section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, go over in its order, as amended

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 507, entitled:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDMENTS OFFERED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 644, entitled:

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this Act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture

And said bill having been read at length the second time.

On the question,

Will the Senate agree to the bill on second reading?

Mr. RAHAUSER. Mr. President, I desire to offer amendments to Senate Bill 644, but before doing so I would like to explain these amendments. One amendment provides for the cutting out of coloration. The other amendment provides for the repeal of the archaic law forbidding

charitable institutions to purchase oleomargarine. The other amendment provides for the elimination of retailers from onerous recordation.

Mr. President, these amendments are somewhat in line with an editorial appearing in the Pittsburgh Press on May 23, where in the editorial states as follows:

"After nearly 50 years, the handcuffs clamped on margarine by the butter lobby were broken by a State Supreme Court decision.

"In 1889, the butter lobby engineered a law which imposed high license fees on margarine. The purpose was to keep it out of competition with butter.

"The Supreme Court ruling recently said the license fees were exorbitant and discriminatory. The court's ruling had the effect of repealing the law.

"So Senator Louis H. Farrell introduced a bill in the Legislature to wipe the law off the books.

"The Senate Agriculture Committee has released this bill to the floor of the Senate. At the same time, it killed the Farrell measure.

"The small fees proposed in the new butter lobby bill are not exorbitant. THEY ARE DISCRIMINATORY, since no other product is required to take out a special license.

"But all of the old restrictions on margarine are retained. And some new ones have been added.

"It still will be illegal, under this bill, to color margarine, although it is perfectly proper to color butter."

Then the editorial goes on to say:

"The whole idea of the bill is to heckle margarine.

"All because a small group of clamorous butter producers can't stand to let the free enterprise system operate on its own merits."

Mr. President and gentlemen of the Senate, these amendments will provide for coloration and will repeal some of the onerous laws that were not included in the repealer section of Senate Bill 644.

I offer the following amendments and ask that that be read.

The Clerk read the amendments as follows:

Amend sec. 2, page 4, lines 4 to 7, by striking out the words "compound so manufactured, shipped, consigned, offered for sale" in line 4, all of lines 5, and 6, and the words "like butter of any shade of yellow as hereinafter described" in line 7; Amend sec. 2, page 4, lines 11 to 17, by striking out the word "For" in line 11, and all of lines 12 to 17; Amend sec. 3, page 5, lines 14 and 15, by striking out the words "which shall not contain any coloration or ingredient that causes it to resemble yellow butter;" Amend sec. 3, page 6, lines 4 to 7, by striking out the words "and the said license shall not authorize the manufacture" in line 4, and all of lines 5, 6 and 7; Amend Section 6, page 8, lines 18 to 20, by striking out lines 18, 19 and 20; Amend Section 6, page 9, lines 1 to 3, by striking out lines 1, 2 and 3; Further amend Section 6, page 9, line 5, by striking out the words "Retail Dealer;" Amend sec. 15, page 13, by inserting after line 17, the following: The act approved June 5, 1913, (P. L. 412), entitled "An act to amend the act approved the twenty-ninth day of May, one thousand nine hundred and one, entitled 'An act to prohibit the manufacture and sale of oleomargarine, butterine and other similar products when colored in imitation of yellow butter, to provide for license fees to be

paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms and boarding houses for the manufacture or sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter, and to regulate the manufacture and sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter, and to prescribe penalties and punishment for violations of this act, and the means and method of procedure for its enforcement, and regulate certain matters of evidence in such procedure'."

The act approved May 23, 1893, (P. L. 112), entitled "An act to prohibit the use of any adulteration or imitation of dairy products in any charitable or penal institution being supplementary to an act entitled 'An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof,' approved May twenty-one, Anno Domini one thousand eight hundred and eighty-five."

On the question,

Will the Senate agree to the amendments?

Mr. HEYBURN. Mr. President, I am very much in favor of repealing the law which prohibits the purchase of oleo by charitable institutions. However, I am advised that the Department of Justice holds that it can not be repealed in this bill, and will have to be repealed in a separate bill, Mr. President. Therefore I suggest to the Senate it would be useless to adopt that amendment.

Now, Mr. President, with respect to coloring oleo, this bill, as you know, Mr. President, came out of the Committee on Agriculture, several members of that committee drafted the bill, along with the department, and some time after the public hearing one of the attorneys for the oleo trust came to me to talk about coloring oleo. I would like to see oleo colored, Mr. President, if possible, and I made the suggestion that possibly such an amendment could be worked out. Then I was advised, Mr. President, that if we allowed oleo to be colored, like butter—and butter, by the way, has a natural color of yellow—it would open the door to widespread fraud on the part of unscrupulous butter operators, because they would substitute colored oleomargarine for butter, and the department advises that it would be impossible for them to properly police the industry and see to it that the purchaser gets the sort of product that he thinks he is buying, because if he is buying butter and asks for butter, of course, he should get butter, and the department holds, Mr. President, it would be impossible.

Therefore that amendment was dropped from the bill, or was not considered in the committee. Certain other amendments were. They relaxed the thing as much as possible. Certainly a \$2 fee is not going to keep oleo off anybody's table. That is a very small sum of money. As a matter of fact, almost any license you go to get in Pennsylvania costs you two dollars or more. Even a marriage license, I am advised, Mr. President, costs that.

This to my mind is about the best bill that can be passed by this Legislature, Mr. President, and will properly regulate the policing of the industry, and would provide an opportunity for anybody to buy oleo that wants to.

Mr. DENT. Mr. President, I am wondering whether the

gentleman from Delaware would agree to the proposition that we force the dairy trust to put upon each pound of butter the fact that it is adulterated by the addition of coloration and salt, the same as any other food product that is sold in this Commonwealth that has any foreign matter added to it, it must be so labeled before it is sold to the public. I am wondering, too, whether the dairy trust should not be compelled to mark each pound of butter as to the score that butter contains, in order that the innocent public that is being gypped out of thousands upon thousands of dollars by the sale of inferior grade butter, highly colored and containing an exorbitant amount of salt—salt selling for approximately \$60 a ton is a very good item to load up cheap grades of butter with.

The great majority of the people in this Commonwealth do not know there is a great deal of difference in butters. They innocently go into a store and say "give me a pound of butter" and they receive in many instances a product which is much inferior to a high grade of margarine.

I can not understand why you are worrying so much about the housewife, and yet you refuse to allow her to buy a product that she uses daily upon her table and in her cooking, when you say to that housewife "you must buy it in an unnatural state, take it home, let it come to a certain temperature and then add your own coloring to it before you use it."

My how the crocodile tears are being shed to save this housewife from being fooled, and yet everybody knows that any person that goes in and buys margarine knows what they are buying because they ask for it.

How long can we continue to pass restrictive legislation upon a very healthful food product? Thousands upon thousands of low income group families can only provide for their family a decent bread spread by the purchase of low priced margarine. It has been developed in the western states to the point that farm land now is producing more income per acre to the farmer from products that are in turn made into oleo than they ever produced when used as feeding lands for their milk cows.

Pennsylvania farmers are not the men behind this bill. We can not be fooled by any such talk. Everybody knows that the dairy interests, the butter trust if you wish to call it that, are the ones who originally conceived the idea of putting restrictive legislation upon this decent, wholesome and nutritious food product. Many and many a time during the war the only spread that was in our home was oleomargarine, and we were grateful for it, and I say to you right now that alongside of butter in our home refrigerator you will always find oleo; we have it, we fry with it, we cook with it and we eat it as a spread. There is nothing wrong with it. The flavor is identical with butter, the food value is identical and in many instances superior to low grade butters that are being pawned off upon the innocent buying public of the Commonwealth of Pennsylvania.

I will tell you where the farmer gets gypped. The farmer gets gypped by unscrupulous persons who go out and buy up country butter and take it into their store and mix it and sell all their butter as country butter. I can give definite proof of those conditions. Every person in this room knows this bill is against the public interest. Any bill that has any discriminatory features in it, no

matter what the degree of discrimination is, has no business of being passed at this session of the Legislature by any group of men who are supposed to represent all the people of the Commonwealth.

We have fought for years and years and years to remove from the statute books all restrictions upon oleo, and the only reason you are getting even this type of bill, which is a great improvement over the old law, is because during the war the people who were forced to use oleo realize its food value and its nutritious value and you are being forced by public opinion to do that which you fought off for years.

I might call attention to the fact that the gentleman who is now in the Chair rather lost his temper the day I said, when we were voting to send Senate Bill 190 back to committee, that we would not have another opportunity in this session of the Legislature to vote for Senate Bill No. 190. I am not pleased to say I told you so but I can not help saying I told you so.

And so now we are giving you another opportunity to stand up for the people of Pennsylvania, because in these amendments we remove restrictions that are not the kind of restrictions that ought to be attached to the sale of any food item. If any person in this room can show me that oleomargarine is a food that is unhealthy or is not nutritious or does not give the people value for the money that is spent for it, or that it is a product that ought not be allowed, then take it off the market, if it is not healthy for the people to use it, but if no person can prove that this food product is not a high food value product, then they should vote for these amendments and against any restrictive legislation.

I want to say to you that so long as I am a member of the Senate of Pennsylvania, so long as I continue to be the representative of my people back home, I will fight until the bitter end to remove all restrictions from this food product.

Mr. HEYBURN. Mr. President, I regret it very much but the gentleman from Westmoreland has his facts pretty badly mixed.

Mr. President, as a matter of fact, I have no interest in this matter except to try to get an workable bill through the Legislature; it is not going to affect me one way or another.

The gentleman from Westmoreland talked about the dairy trust promoting this bill, which is just so much poppycock. The dairy trust attorneys were down here at the public hearing fighting this bill, and here is oleo made by the Kraft Cheese Company, a part of the dairy trust. The gentleman is badly mixed up in his facts.

The gentleman from Westmoreland talks about the butter racket. There is a butter racket, Mr. President, I know, but a state law sets up specifications for butter as to the score and there are constant investigations going on, Mr. President, any number of convictions and fines and imprisonments are on record in connection with the rackets in butter. I think possibly the gentleman must have known that, Mr. President. He talked about knowing violators in the butter business. If he does, he should immediately call the Secretary of Agriculture and tell him who they are and where they are, because that is one thing he will find, that the federal government and the state government are very much interested in

correcting this racket in butter, there is no question about that, and there has to be a tremendous amount of investigating work done to keep it down. That is one reason why the Secretary of Agriculture holds, Mr. President, that he can not control it if you allow oleo, which is a much cheaper product, to be colored like butter, as there would be widespread substitutions, so I am told.

Mr. President, the gentleman from Westmoreland talked about adulteration of butter with respect to salt. Mr. President, salt is a seasoning. That is no adulteration of any product, seasoning.

The gentleman from Westmoreland talked about color adulteration. Mr. President, I know myself that the natural color of butter is yellow. I have made lots of it myself and you put no color in it whatsoever, except during the middle of winter, Mr. President, if you want it have a real yellow color, you might add some butter coloring, but at no time is there anything less than a light yellow in butter, going from that a deep yellow in the summertime when the cattle are out in pasture.

I would like to say to the gentleman again, Mr. President, the same trust he talked about, the dairy trust, is also the oleo trust, and he tries to tell me, Mr. President, that the dairy trust is fighting this bill. They are one and the same thing—the same attorneys.

Mr. DENT. Maybe I am informed wrongly, but it is my understanding, from the information I have and from observations, if you please, that approximately ninety per cent of all the commercial butter sold in this state is colored, color is added, and if you want to break the butter trust or the butter racket as you call it, the thing to do is to put in a little license fee upon the butter business, in order that they can spend that money you say is needed to clean up this racket.

And also, Mr. President, why not put upon the package of butter itself a statement as to whether or not that butter has had color added, whether it is natural butter coming from rich cream-producing cows, or whether it is butter that is made from a combination of milk and cream, whether it comes from Holsteins, which produce rather white butter—in fact you have to look pretty hard to find any coloration; whether it comes from Guernseys or Jerseys, which produce very rich, yellow-looking butter. Or you could show on the package what the score of that particular brand of butter is. I think that is important to the people. You know from your own experience, unless you are a person that has some academic knowledge of the contents of butter, you go into a store and ask for a pound of butter and that is all you know about it, and you are being cheated every day and in almost every market that sells butter in the Commonwealth of Pennsylvania.

Mr. HEYBURN. Mr. President, the gentleman from Westmoreland just suggested why not put a little license fee on the milk business or the dairy business, and I want to remind him, Mr. President, that some milk distributors in Pennsylvania pay as high as a \$5,000 license fee—one dealer, \$5,000. That is a matter of law and the gentleman can look it up. There are specifications on butter, Mr. President, as to the score and it is on that basis that these investigations and convictions are made.

Mr. RAHAUSER. Mr. President, the gentleman from Delaware stated that the Department of Justice could not

include a repealer in Senate Bill 644. I call to his attention that on page 13 there are two repealers, the act of 1901 and the Act of 1921, and according to Purden's, one of the repealers that was offered there is only a supplement of the Act of 1901. I can say Purden usually is an authentic document for we lawyers and I see no reason why this repealer can not be included in this bill.

Mr. HEYBURN. I am sorry to prolong this matter, Mr. President, but I feel I should answer the statement made by the gentleman from Allegheny, Senator Rahauser. I am not going to go into Purden, but as far as Heyburn is concerned, the information I get is, Mr. President, that if a charitable institution should purchase oleo and then attempt to color it, they are in conflict not only with the state law but with the federal law; it is necessary for them to take out a federal license and pay ten cents per pound federal tax. Probably the gentleman did not know that, but that is what I am advised, Mr. President, that they would have to pay ten cents a pound federal tax and get a federal license. There is something involved here, so I am told, which can not be contained in this bill so far as a repealer is concerned.

Mr. RAHAUSER. Mr. President, I just want to call to the attention of the gentleman from Delaware that the act we are seeking to repeal is found in Purden, 31, page 851, which is a supplement of the Act of 1901. The bill we are attempting to repeal, however, is the act of 1893, May 23, P. L. 112, and it is so set forth in my amendment.

Mr. SCARLETT. Mr. President, I would like to make a few remarks on the bill. There has been a great smoke-screen thrown up around this oleo matter. I am well aware of just where it comes from and why it arrived here. It was started in Washington. There was some move on foot to knock out the margarine laws in Washington but Congress would not touch it.

Mr. President, there has been a great deal of talk about the wholesomeness of margarine, about the food value. That is true. I have not heard that denied one time. I think that margarine manufacturers have had more favorable publicity and advertising on this floor in the past few weeks, probably, than they have any place in the country but, nevertheless, there is a racket in margarine.

I talked only a few days ago with my own grocer. He brought up the question of margarine and he told me of an instance where he had purchased two hundred pounds of margarine in the state of Delaware, just across the line, not long before that, thinking that it was butter. He said "I should probably have known better because it was bought at two cents a pound under the market." Anyway, it was delivered to him and he sold a few pounds of it, a pound was returned, and he then discovered it was margarine in butter packages. Of course, he returned the entire consignment.

Also I have talked with some of the small grocers who claimed they would be terribly hurt by this proposed bill. When the bill was explained to one of them, who I know very well, he made the statement "why, this is all right, this is the best thing we have had; it will save me about \$150 a year." I asked him just how he was going to make that saving. He told me that it cost him now about \$3 a week to stamp the margarine packages, and that would be eliminated, so that he would pay \$2 for a license and make an actual saving of \$150 at least. I asked him if that was

true with all the grocers and he informed me it would be.

Mr. President, I know very well just what happened here some time ago to start the grocers off on this margarine campaign. I know that they were hopeful of breaking down this law in Pennsylvania and one of them, one of their officers, told me that if they were successful in doing that, they were going to move into Washington next. They thought if they could break down the law in Pennsylvania, they would be able to accomplish the same thing in several other states during the current terms of their legislatures.

I believe most people are beginning to see this is a lot of smokescreen that has been thrown up. There is nobody I know of anywhere who is trying to harm the sale of margarine. I think this bill will be a protection to the people who buy it, I think it is a protection to the grocers who sell it, and I think the state of Pennsylvania is in need of Senate Bill 644 as is.

And the question recurring,

Will the Senate agree to the amendments?

Mr. RAHAUSER. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. RAHAUSER, and were as follows, viz:

YEAS—15

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Rahauser,	Tarr,
DiSilvestro,	Klein,	Rosenfeld,	Woodring,
Farrell,	Lane,	Ruth,	

NAYS—34

Becker,	Frazier,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Haluska,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Wilson,
Order,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

go over in its order.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 685, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 735, entitled:

An Act to amend sections four thousand three hundred twenty, four thousand three hundred twenty-one, four thousand three hundred twenty-two, four thousand three hundred twenty-three, four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending revising, and consolidating the laws relating thereto," by requiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund, and providing for and regulating the management and operation of such fund

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MAHANY offered the following amendments:

Amend Sec. 1 (Sec. 4320) page 3, line 5, by inserting after the word "department", "or in cities where the Mayor is also the director of the department having charge of the fire department, then the Director of Public Safety"; Amend Sec. 1 (Sec. 4320) page 3, lines 9 to 12, by striking out the words "two shall be chosen for terms of two" in line 9, all of lines 10 and 11, and the words "place of those whose terms expire" in line 12, and inserting in lieu thereof "one shall be chosen for a term of two years and one for a term of four years. Biennially thereafter one manager shall be chosen for a term of four years to take the place of the one whose term expires"; Amend sec. 1 (sec. 4324), page 6, line 17, by striking out the words "less than one-half nor".

They were agreed to.

The section was agreed to as amended.

The second section and title were read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. MAHANY. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. TALLMAN. Mr. President, I move that House Bill No. 771, on second reading, entitled:

An Act to further amend section one of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (P. L. 21) entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth" making further provision for such standard of time and providing for a referendum to decide upon the one hour advancement of the standard time between the last Sunday of April and the last Sunday of September of each year

be placed on the Second Reading Postponed Calendar.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 715 CALLED FROM
SECOND READING POSTPONED CALENDAR

Mr. CRIDER. Mr. President, I call from the Second Reading Postpone Calendar House Bill No. 715, for consideration at this time.

BILL ON SECOND READING AMENDED

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 715, entitled:

An Act to amend the act approved the second day of July, one thousand nine hundred thirty-five (P. L. 599), entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during cer-

tain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conduction such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CRIDER offered the following amendments:

Amend Section 6.1, line 8 by inserting after the word "act" where it appears at the end of the line the word "shall;" Amend Section 6.1, line 10 by inserting after the word "time" the following words: "provided however that the said motion pictures shall be exhibited within church property, and provided further that no admission charge shall be made."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. CRIDER. Mr. President, I ask unanimous consent that House Bill No. 715, on second reading, go over in its order, as amended.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

BILLS INTRODUCED AND REFERRED

Mr. CROWE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. CROWE read in place and presented to the Chair Senate Bill No. 811, entitled:

An Act to add article two-A to the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class and amending, revising, consolidating, and changing the law relating thereto," requiring the preliminary consent of the electors of the entire township when a township or part thereof is proposed to be annexed to a city of the third class or borough.

Which was committed to the Committee on Local Government.

Mr. TYLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. TYLER read in place and presented to the Chair, Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester, Suffolk or Nassau in the State of New York; providing for a Milk Compact Commissioner; designating

the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner; authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk, subject to such federal consent as may be authorized or required by law; providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact; authorizing uniform regulation of prices to be paid producers, as may be provided in any such compact; providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf; providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania, not covered by such compact or order and re-delivered, re-sold or otherwise disposed of, or marketed in any marketing area in the Commonwealth of Pennsylvania, as such prices are fixed by the then existing rules, regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth, and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1, Section 10, Clause 3 of the Constitution of the United States.

Which was committed to the Committee on Agriculture.

SENATE BILL No. 78 TAKEN FROM TABLE

Mr. HOMSHER. Mr. President, I call from the table Senate Bill No. 78, entitled:

An Act to further amend clauses (k), (s) and (y) of section four and to re-enact and further amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred thirty-six (1947 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for modification of the manner in which employer contribution rates are determined, and for a lag between the period on which contribution rates are based and the rate period; and placing experience rating on a permanent basis.

which was returned from the House of Representatives for concurrence in House amendments, and request that it be placed on the Calendar.

The PRESIDING OFFICER. The bill as amended, will appear on tomorrow's Calendar.

BILLS ON FIRST READING

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HEYBURN. Mr. President, I second the motion. On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I object to the reading of House Bill No. 826, House Bill No. 952, House Bill No. 1001, House Bill No. 1076, Senate Bill No. 775 and Senate Bill No. 801, for the first time.

The PRESIDING OFFICER. The bills enumerated by the gentleman from Allegheny, Mr. Holland, will appear on the First Reading Calendar tomorrow.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 8, entitled:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 92, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 93, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employees in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select, procure, award, and provide for the furnishing of certain service medals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 195, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 206, entitled:

An Act to amend section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by increasing the number of copies to be published.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 533, entitled:

An Act to amend the title and act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," by extending the provisions of the act to retention in public positions or on public works in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 601, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad section indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1518), entitled as amended "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1513), entitled "An act regulating the construction, equipment, maintenance, operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," increasing fees for inspection and certificates.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 645, entitled:

An Act to amend the title and section one of the act, approved the sixth day of April, one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age,

or older, to contract for and to make loans in accordance with the provisions of the act of Congress, known as the "Servicemen's Readjustment Act of 1944," or any agency of the Commonwealth hereafter created, and saving and relieving the parents, guardians, and trustees of such minors from any liability therefor, unless joining therein," extending the provisions thereof to loans made, insured or guaranteed under the "Bankhead-Jones Farm Tenant Act" and other Federal legislation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 678, entitled:

An Act to further amend subsection (b) of section four hundred fifteen, and subsection (a) of section six hundred twenty-one point one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," further defining group life insurance and group accident and health insurance to include trust funds established by employers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 723, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 726, entitled:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the

appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act, approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class," by requiring depositories of city funds and other funds for which the city acts as custodian or trustees to give security and defining such security.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June, one thousand eight hundred ninety-five (P. L. 408), entitled "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, by providing for the payment by the State Treasurer of one-half of the two percentum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth," by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 771, entitled:

An Act to further amend section seven and to amend section eight of the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that any number of items, held by any administrator or executor, trustee, fiduciary, depository of the court, receiver or other officers of the court which are escheatable, may be joined in one action of escheat, and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held, and further providing that the Attorney General or any other person, authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property, shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator; and further providing that the court may make orders relative to advertising and notice of the proceedings, whether the escheatable property is real or personal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institutions districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institutions districts and other political subdivisions certain powers and duties prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions in whole or in part, for the care and treatment of mental patients and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 779, entitled:

An Act to amend section forty of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," providing for a rule upon respondent to furnish a bill of particulars in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 792, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacture; requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers; requiring an affidavit of the consideration received before a new certificate of title is issued; providing for the revocation of dealers' licenses and imposing penalties for violations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 794, entitled:

An Act regulating the procedure for the ascertainment, determination and assessment of damages and benefits occasioned by the taking of property when the right of eminent domain is exercised by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 983, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing the definition of group life insurance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purpose

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for certain licenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1043, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several

administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1062, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further reorganizing the Department of Welfare and its boards and officers creating the Department of Mental Health prescribing its functions powers and duties and fixing salaries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by

the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Wednesday, May 28, 1947, at 2:00 o'clock, p. m., Eastern Standard Time.

Mr. CARR. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:36 o'clock, p. m., Eastern Standard Time until Wednesday, May 28, 1947, at 2:00 o'clock, p. m. Eastern Standard Time.

HOUSE OF REPRESENTATIVES

TUESDAY, May 27, 1947

The House met at 12:00 noon.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrave offered the following prayer:

Blessed Lord, strengthen us we beseech Thee, in the inner man, by the renewing, sustaining, undergirding grace

which is able to keep us from falling and failing. So may our hearts be steadied and stilled, purged of self, emptied of strain and stress, filled with peace and poise, satisfied with each new morning just to wake and find Thee there, for Thine is the kingdom to which the future belongs, and the power, and the glory, for ever and ever. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, May 26, 1947, when, on motion of Mr. NEEDHAM unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 363.

An Act to amend further the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as amended by changing the method of accounting for advances out of appropriations at the end of the biennium.

Referred to the Committee on Appropriations.

SENATE BILL No. 709.

An Act to further amend the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining "accumulated deductions" and further regulating withdrawal and payments thereof.

Referred to the Committee on State Government.

SENATE BILL No. 712.

An Act validating and quieting against the right of escheat by this Commonwealth the title to real estate in this Commonwealth held by or in trust for a corporation chartered under the laws of this Commonwealth but not authorized to hold the same where after said unauthorized holding said real estate has been heretofore conveyed under the laws of this Commonwealth to hold such real estate and no inquisition has heretofore been instituted to escheat the same by reason of such unauthorized holding.

Referred to the Committee on Judiciary.

SENATE BILL No. 732.

An Act to further amend clause (i) of section two thousand four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," authorizing leases of Commonwealth real estate to the Federal Government in the interests of national defense for terms in excess of one year.

Referred to the Committee on State Government.

SENATE BILL No. 736.

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power, providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards, imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," validating certain expenditures

Referred to the Committee on Ways and Means.

SENATE BILL No. 743.

An Act to further amend paragraph one of section two hundred forty-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by changing the qualifications for the office of district attorney in counties of the seventh and eighth classes.

Referred to the Committee on Judiciary.

SENATE BILL No. 761.

An Act to amend section three of Article VIII of the act approved the twenty-first day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" increasing the compensation of examining board members.

Referred to the Committee on Mines and Mining.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY. (Concurrent) RESOLUTION No. 57.

In the House of Representatives, May 26, 1947.

Whereas, The need of encouraging the growth of democracy throughout the world is evident to all liberty and peace loving people; and

Whereas, Many countries which have governments based upon representative democracies find themselves alone and isolated in a growing hostile world; and

Whereas, While such countries may be members of the United Nations, they nevertheless find themselves working alone for their own individual survival; and

Whereas, Were all such countries to join in a federation, they would be able to obtain the strength of union in protecting and advancing the interests of democratic countries and to encourage other countries to adopt democratic forms of government; and

Whereas, Such a federation of countries having a representative form of government such as the United States, the members of the British Commonwealth, France and other smaller western European nations could establish a world government under law, consisting of judicial, legislative and executive branches, with necessary checks and balances analogous to those provided by the Constitution of the United States; the legislative powers should be limited, specific and clearly defined, without authority to intervene or act in any matter which is essentially within the domestic or home rule jurisdiction of any nation, the laws to be applicable to and enforced against individuals as well as nations and to provide regulation and control of atomic energy and other means of war; the legislative body might well be organized on a bicameral basis, with weighted representation in one chamber and equal representation in the other; each nation should be free to determine for itself the method of selecting its members of the Legislative body, in order that they may carry out the will of the people they represent, the issues to be decided by the votes of the individual members rather than by nations, the judiciary should be given the power to interpret the Federation Charter as well as to construe legislation and to determine whether any organ of the Federation has exceeded the powers granted by the Federation Charter; therefore, be it

Resolved, That a copy of this resolution be sent to the President of the United States; and be it further

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby urges the President of the United States to initiate a movement for the formation of a federation of democratic countries as herein suggested.

Referred to the Committee on Rules.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 432.

An Act to further amend subsections (b) and (c) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for establishment of restricted speed zones in certain cases and further regulating the speed of motor buses and omnibuses.

HOUSE BILL No. 503.

An Act to amend or further amend Sections eight hundred six eight hundred eight and eight hundred thirty of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by making it unlawful for certain persons to disturb wild birds or wild animals within safety zones during the open hunting or trapping season clarifying the law with reference to shooting within safety zones prohibiting the conveyance of certain firearms without being wrapped or in a case and clarifying the law with reference to hunting accident reports.

HOUSE BILL No. 266.

An Act to amend section five hundred ten of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the appointment of a deputy treasurer when treasurer is unable to perform the duties of his office.

HOUSE BILL No. 871.

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of money paid as a filing fee for filing a delayed certificate of birth and prescribing a limitation period within which such petitions must be filed.

HOUSE BILL No. 884.

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must be filed.

HOUSE BILL No. 898.

An Act to further amend section five hundred thirty-two of the act approved the eighteenth day of May one thou-

sand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by permitting additional or increased appropriations by first class school districts in certain cases.

HOUSE BILL No. 919.

An Act to amend section four hundred fifty-one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" changing the membership of the State Planning Board.

HOUSE BILL No. 961.

An Act to amend section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the furnishing and installation of ornamental standards for street lighting with fittings and underground wiring therefor and the assessment and collection of the cost thereof from property benefited thereby.

HOUSE BILL No. 1035.

An Act to amend section forty of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the surety on the bond or bonds of a deceased collector for whose estate no executor or administrator has been appointed shall have the sole right and power to take over the tax duplicates in which said surety is interested and to proceed to make collections thereon in accordance with the provisions of this section.

HOUSE BILL No. 1084.

An Act to abolish the Pennsylvania Post-War Planning Commission and to repeal the act by which it was enacted.

HOUSE BILL No. 1085.

A Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1191) entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agree-

ments with political subdivisions of this Commonwealth for the financing of plans and specifications for public works and making an appropriation" providing for the winding up of the functions of the Pennsylvania Post-War Planning Commission by the State Planning Board and re-appropriating the unexpended balance of the appropriation.

HOUSE BILL No. 1091.

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by amending Sections 220 and 2413 and adding new Sections 526 and 701 (1) authorizing and directing the Governor to prescribe the filing system to be adopted by each department board and commission an dto direct subject to approval by the Executive Board what records shall be preserved by photographic process and what assignment and utilization shall be made of space in the Capitol buildings.

HOUSE BILL No. 1163.

An Act to further amend section seven and amend section ten of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" further regulating the solicitation of money and property conferring powers on courts of equity to issue injunctions in certain cases and prescribing penalties.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 17, 1947.

Whereas The St Lawrence Seaway and Power Project will produce no practical benefits for the people of the two countries it is designed to serve and

Whereas The General Assembly and the citizens of this State are greatly concerned about the effect the completion of this project would have upon them and

Whereas The construction of the project would burden the taxpayers of this Commonwealth and the United States with an initial sum estimated at from \$543,000,000 to \$1,350,000,000 and experience in similar public works would indicate that this project would cost much more and

Whereas Existing facilities the Welland Canal which bypasses Niagara Falls and the Great Lakes Channels amply provide for the present lake traffic The railroads on both

sides in the United States and Canada have demonstrated that they are prepared to handle all through traffic offered and

Whereas With its channels closed to navigation for about five months of the year due to ice and weather conditions it would be unreasonable to expect the railroads to perform the required service during the period that navigation is closed and to be in a position to handle the peak load The railroads would be required to maintain equipment that would be idle or little used for sixty per cent of the time and have the added problem of maintaining the personnel organization Great numbers would have to seek employment elsewhere while tonnage was moved by government subsidized competitors This situation would greatly affect the ports of Erie and Philadelphia and

Whereas Sea-going boats cannot travel this great distance for nothing and the saving in transportation costs would be exceedingly small if any and

Whereas It would be disastrous to Great Lake shipping injurious to American rail highway and inland waterways services and seriously harmful to the American coal and iron ore industries and

Whereas Electrical energy that would be generated could only be used at nearby points as it has been demonstrated that the cost of transmission over long distances greatly exceeds that generated locally and

Whereas Such an agreement if ratified would reduce the exportation of manufacturing mining and agricultural products of this Commonwealth and result in loss of employment and contribute to increased taxation therefore be it

Resolved (if the Senate concurs) that the General Assembly of Pennsylvania hereby memorializes the Congress of the United States not to approve the agreement for the construction of the St Lawrence Seaway and Power Project and be it further

Resolved That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 263

An Act relating to firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto

HOUSE BILL No. 542

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

With the information that the Senate has passed the same without amendment

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 263

An Act relating to firemen's pension funds in cities of the second class A and directing such cities to appropriate certain moneys thereto

HOUSE BILL No. 542

An Act creating as bodies corporate and politic "Parking Authorities" in cities of the second class prescribing the rights powers and duties of such authorities authorizing such authorities to acquire construct improve maintain and operate parking projects to conduct research of the parking problem and to establish a permanent coordinated system of parking facilities and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such authorities empowering such authorities to enter into contracts with and to accept grants from the Federal Government State political subdivisions of the State or any agency thereof exempting the property and securities of such parking authorities from taxation and conferring exclusive jurisdiction on certain courts over rates

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

RECALLING HOUSE BILL No. 1286
FROM THE GOVERNOR

Mr. COOPER offered the following resolution which was read, considered and adopted:

In the House of Representatives, May 27, 1947.

Resolved, (if the Senate concurs), That House Bill No. 1286, Printer's No. 504, entitled "An act validating certain conveyances of real property made by a county home or by the directors of the poor," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 838

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 26, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 838, Printer's No. 573, entitled "An Act to further amend the definition of 'Extension education' in section one of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 492) entitled 'An act to provide for the equalization of educational opportunity and the encouragement of the study of citizenship by recognition of extension education for boys and girls who are employed and for adults as a function of the public schools of this Commonwealth and to facilitate the proper organization and administration of such extension education' including recreational or

social service for youth and children within the meaning of the term 'extension education'."

JAMES H. DUFF.

SENATE MESSAGES

The Clerk of the Senate, being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 493, 578, 579, 580, 642, 676, 725, and 667.

PUPILS OF CHERRY TOWNSHIP, ELKLAND
TOWNSHIP AND LOPEZ HIGH SCHOOLS
WELCOMED

The SPEAKER. The Chair is very pleased to have as guests in the House this afternoon the senior class of the Cherry Township, under the direction of Mrs. McCracker, the senior class of Elkland Township, under the direction of Mr. Boothe, and the graduating class of Lopez High School, under the direction of Mr. Behr Shuman. These groups are the guests of the gentleman from Sullivan, Mr. Baumunk. We are very pleased to have them here.

ANNOUNCEMENT

The SPEAKER. The Secretary of the House, Mr. Rowen, again requests the Chair to remind the Members of the Capitol Hill night to be observed by Harrisburg Post No. 27 of the American Legion tonight at the American Legion Home at 21 South Front Street. There is to be a buffet luncheon and refreshments from 8:00 p. m. The Members are again invited to attend this affair.

The Chair might say that they are planning to have the National Commander of the American Legion present at this affair this evening.

RESOLUTION

BILLS READ FOR THE FIRST TIME

Mr. SORG, from the Committee on Rules, offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and unanimously adopted as follows:

In the House of Representatives,
Tuesday, May 27th, 1947

Resolved, That all bills reported from House Committees as committed be read for the first time on the day they are reported for the balance of this regular session.

Signed by the Committee on Rules.

FRANKLIN H. LICHTENWALTER
W. STUART HELM
CHAS. H. BRUNNER, JR.
IRA T. FISS
WILSON L. YEAKEL
HERBERT P. SORG

REPORTS FROM COMMITTEES

Mr. CHERVENAK from the Committee on Counties, reported as committed, House Bill No. 553, entitled:

An Act to further amend the act, approved the twelfth day of May, one thousand eight hundred eighty-seven (P. L. 95), entitled "An act regulating the compensation of county auditors, within this Commonwealth," increasing the compensation of county auditors.

Mr. VAUGHAN from the Committee on Counties, reported as committed, House Bill No. 668, entitled:

An Act to further amend section three of the act approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "An act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries," by further regulating the payment of the salaries of probation officers and their assistants.

Mr. VAUGHAN from the Committee on Counties, reported as committed, House Bill No. 669, entitled:

An Act requiring in counties of the third class a building permit from the board of assessment and revision of taxes for the erection or construction of any new building or structure within the boroughs or townships of such counties and providing penalties.

Mr. MADDEN from the Committee on Counties, reported as committed, House Bill No. 674, entitled:

An Act to further amend section eleven of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits.

Mr. BLOOM from the Committee on Counties, reported as committed, House Bill No. 676, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund, and providing that in such cases members shall be given credit as to benefits for time in military service.

Mr. ERB from the Committee on Counties, reported as committed, House Bill No. 786, entitled:

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on non-payment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," allowing counties to retain the excess over the amount of taxes, penalties, interest and costs due on real property sold by county commissioners at private or public sale.

Mr. KRISSE from the Committee on Cities—Third Class, reported as committed, House Bill No. 909, entitled:

An Act to amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county

institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

Mr. RAGOT from the Committee on Counties, reported as committed, House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight five of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the formation of a State association of directors of veterans' affairs, and the payment by counties of certain expenses in connection therewith.

Mr. YETZER from the Committee on Townships, reported as committed, House Bill No. 1113, entitled:

An Act to add clause XXIV.1 to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing township supervisors to acquire by lease the use of real property.

Mr. WALDRON from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 100, entitled:

An Act to further amend the act, approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions," by further regulating the administration and payment of such pensions in certain cases.

Mr. VAUGHAN from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two, and section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover providing penalties, and making an appropriation," providing a uniform method of condemnation and payment of damages in boroughs and cities.

Mr. LAUGHNER from the Committee on Cities and County—Second Class, reported as committed, Senate Bill No. 233, entitled:

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

Mr. TAHL from the Committee on Judiciary, reported as committed, Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell merchandise

Mr. ERB from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 263, entitled:

An Act to further amend section two, and amend sections three and five of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," extending requirements as to contents of labels and increasing penalties.

Mr. FROST from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health, imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

Mr. RAGOT from the Committee on Insurance, reported as committed, Senate Bill No. 434, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies under certain conditions.

Mr. HALLER from the Committee on Judiciary, reported as committed, Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances

Mr. ORBAN from the Committee on Judiciary, reported as committed, Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings public works or projects.

Mr. LOVETT from the Committee on Insurance, reported as committed, Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

Mr. DELONG from the Committee on Cities—Third Class, reported as committed, Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering city councils by ordinance to define and penalize disorderly conduct

Mrs. McCOSKER from the Committee on Judiciary, reported as committed, Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by defining "municipality authority" or "municipal authority."

Mr. TOMPKINS from the Committee on Judiciary, reported as committed, Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgement of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

Mr. TOMPKINS from the Committee on Judiciary, reported as committed, Senate Bill No. 675, entitled:

An Act validating County Treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect, if, in fact, such acknowledgement was taken before any officer duly authorized by law to take acknowledgements.

Mr. ALBERT W. JOHNSON from the Committee on Counties, reported as committed, Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws thereto" providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association

Mr. PICHNEY from the Committee on Insurance, reported as committed, Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner

Mr. NEFF from the Committee on Townships, reported as amended, House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose.

Mr. DALRYMPLE from the Committee on Cities—Third Class, reported as amended, House Bill No. 933, entitled:

An Act to further amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," by changing the provisions relating to the giving of notice of assessments.

Mr. MILLS from the Committee on Insurance, reported as amended, Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" by further providing for the investment of funds by domestic societies

Mr. BROWN from the Committee on Judiciary, reported as amended, Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income, and the apportionment of receipts and expenses among tenants and remaindermen.

Mr. DAVID P. REESE, from the Committee on Mines and Mining, re-reported as amended, House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act, approved the second day of June, one thousand eight

hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," further regulating operations approaching inaccessible workings.

Mr. DAVID P. REESE, from the Committee on Mines and Mining, re-reported as amended, House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which explosive gases have at any time been found.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution previously adopted.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 553, entitled:

An Act to further amend the act, approved the twelfth day of May, one thousand eight hundred eighty-seven (P. L. 95), entitled "An act regulating the compensation of county auditors, within the Commonwealth," increasing the compensation of county auditors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 668, entitled:

An Act to further amend section three of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences; the appointment of probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries", by further regulating the payment of the salaries of probation officers and their assistants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 669, entitled:

An Act requiring in counties of the third class a building permit from the board of assessment and revision of taxes for the erection and construction of any new building or structure within the boroughs or townships of such counties and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 674, entitled:

An Act to further amend section eleven of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 676, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund, and providing that in such cases members shall be given credit as to benefits for time in military service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 786, entitled:

An Act to amend the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," allowing counties to retain the excess over the amount of taxes, penalties, interest and costs due on real property sold by county commissioners at private or public sale.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships, certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that salaries of tax collector their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight to the act, approved the second day of May, one thousand nine hundred twenty-nine, (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing the formation of a State association of directors of veterans' affairs, and the payment by counties of certain expenses in connection therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1113, entitled:

An Act to add clause XXIV.1 to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," authorizing township supervisors to acquire by lease the use of real property.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employees of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 233, entitled:

An Act to further amend section five hundred four of the act, approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1278), entitled "An act relating to counties of the second,

third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise, and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 263, entitled:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic anesthetic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels and increasing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 366, entitled:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend section two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 1013), entitled "An act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further regulating the notice of meetings required to be given stockholders in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," empowering city councils, by ordinance, to define and penalize disorderly conduct.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eight day of May, one thousand

nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes", by defining "municipality authority" or "municipal authority".

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect, or where the acknowledgment was not properly taken.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 675, entitled:

An Act validating County treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect, if, in fact, such acknowledgment was taken before any officer duly authorized by law to take acknowledgments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 680, entitled:

An Act to amend section seventy-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes, and revising, amending and consolidating the laws relating thereto," providing for the payment by the several counties of expenses incurred by the State Association of County Commissioners for carrying on the work and activities of such State Association.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to

furnish financial and other statements when required by Insurance Commissioner.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels and or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution to use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officials and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 654, entitled:

An Act to permit employes of cities (except of the first and second classes) boroughs towns and townships to accumulate annual vacation and sick leave in certain cases

The first section was read.

On the question,

Will the House agree to the section?

Mr. DEMECH offered the following amendment:

Amend sec. 1, page 1, lines 1 and 2, by striking out the words "(except of the first and second classes)".

Amend sec. 1, page 1, line 3, by striking out the words "annual vacation or".

Amend sec. 1, page 2, lines 1 and 2, by striking out the words "vacations or".

Amend sec. 1, page 2, by inserting between lines 2 and 3, the following: "Each such political subdivision shall have the power to establish and enforce reasonable regulations as to the use of such accumulated sick leaves for the purpose of preventing the abuse thereof."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the section?

Mr. DEMECH offered the following amendment:

Amend title, page 1, line 1 of title, by striking out the words "(except of the first and second classes)".

Amend title, page 1, lines 2 and 3 of title, by striking out the words "vacation and"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 980, entitled:

An Act to further amend section six hundred three and amend section six hundred twenty-two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" further regulating the licensing of insurance agents and brokers.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WAGNER offered the following amendments:

Amend sec. 1 (Sec. 603), page 7, line 3, by striking out the bracket before the word "Nothing".

Amend sec. 1 (Sec. 603), page 7, line 4, by striking out the bracket after the word "companies".

Amend sec. 1 (Sec. 603), page 7, lines 5, 6 and 7, by striking out all of said lines.

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission preparing and printing a compilation of veterans' laws furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The first section was read.

On the question,

Will the House agree to the section?

Mr. FISH offered the following amendment:

Amend Sec. 1, page 2, lines 6 and 7, by striking out the part-word "pre" in line 6 and all of line 7.

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. FISH offered the following amendment:

Amend title, page 1, lines 2 and 3 of title, by striking out the words "preparing and printing a compilation of veterans' laws".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act to amend sections three and four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls" providing that vacancies on the board of managers shall be filled and persons employed with respect to such halls shall be veterans who were residents of the Commonwealth at the time of enlistment or induction

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. RIGHTER and HAUDENSHIELD offered the following amendment:

Amend Sec. 2, page 4, line 7, by inserting after the word "hall" "who has been so employed for a period of less than one year prior to the effective date of this act, and"

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Messrs. RIGHTER and HAUDENSHIELD offered the following amendment:

Amend title, page 2, last line of title on said page, by inserting after the word "induction" "declaring certain vacancies and requiring certain dismissals"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76 and

Senate Bill No. 492, Printer's No. 185

were passed over at the request of the SPEAKER.

BILL ON FINAL PASSAGE

Agreeably to order
The House proceeded to the consideration on final passage of House Bill No. 865, as follows:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 29) is hereby further amended to read as follows

Section 906 Publication of Notice of Officers to Be Nominated and Elected Beginning not earlier than twelve weeks nor later than eleven weeks before any regular Spring or Summer primary the county board of each county shall publish in newspapers as provided by section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternate delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part and also setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be published once each week for two successive weeks in counties of the first and second class and once in all other counties [each week for two successive weeks]

Section 2 Section one thousand two hundred one of said act is hereby amended to read as follows

Section 1201 Notice of November Elections The county board of each county shall at least ten days before each November election give notice of the same by newspaper publication in the county in accordance with the provisions of section 106 of this act once a week for two successive weeks immediately prior thereto in counties of the first and second class and once in all other counties such notice shall set forth (a) the officers to be elected in the State at large or in said county or in any district of which said county or part thereof forms a part or in any city borough township school district poor district ward or other district which is contained in such county (b) the names of the candidates for election to Federal

State county and city offices whose names will appear upon the ballots or ballot labels (c) the text of all constitutional amendments and other questions to be submitted at such election (d) the places at which the election is to be held in the various election districts of the county and (e) the date of the election and the hours during which the polls will be open Such notice may include a portion of the form of ballot or diagram of the face of the voting machine in reduced size

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davidson,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Flss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 247, as follows:

An Act making an appropriation to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre Philadelphia Pennsylvania for the purpose of research concerning the care and treatment of alcoholics the training of personnel and the maintenance of patients

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of Fifty thousand dollars (\$50,000) is hereby specifically appropriated to the C Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre of Philadelphia Pennsylvania for the purpose of Research and Training of personnel of the clinic for the care treatment and cure of alcoholics and the Maintenance of Patients both male and female

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Scott,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Royer,	Yetzer,
Fleming,	Madigan,	Sarra,	Young,
Floor,	Mazza,		Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 268, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam at Northampton Northampton County Pennsylvania damaged by flood waters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the purpose of removing debris and silt deposits repairing and otherwise restoring Lappanwinzo Dam at Northampton Northampton County Pennsylvania which damage was caused by recent unprecedented flood waters

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,		Wood.

Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter.
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 303, as follows:

An Act making an appropriation to the Orlando S Johnson Industrial School of Scranton Pennsylvania for maintenance and purchase of supplies and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifty thousand dollars (\$50,000) is hereby specifically appropriated to the Orlando S Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger.
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham
Brunner,	Henry,	Meters,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle
Cochran,	Jennings,	O'Dare,	Tompkins
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Yester,
Crowley,	Kelley,	Pichney,	Verona,
Dague,	Kemp,	Pickens,	Wachhaus,
Dalrymple,	Kent,	Polaski,	Wagner,
Davison,	Kirley,	Powers,	Waldron,
De Long,	Kline,	Price,	Wallin,
Demach,	Kohl,	Proper,	Walton,

Dennison,	Kratz,	Ragot,	Waterhouse,
Depuy,	Krise,	Readinger,	Watkins,
Dix,	Kurtz,	Reagan,	Watson,
Dye,	Laughner,	Reese, D. P.,	Weidner,
Efenberg,	Layer,	Reese, R. E.,	Weiss,
Elder,	Lee,	Reilly, J. M.,	Wescott,
Erb,	Lelsey,	Reilly, W. J.,	West,
Evans,	Livingston,	Richter,	Wheeler,
Ewing,	Livingstone,	Riley,	Wolf,
Feola,	Loftus,	Robbins,	Wood,
Fish,	Lovett,	Robertson,	Worley,
Fiss,	Lyons,	Root,	Yeakel,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 381, as follows:

An Act permitting employes of counties of the second class to accumulate their annual sick leaves and making such right retroactive

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In counties of the second class every employe of the county who is entitled to a certain number of days annually for sick leave with pay shall be entitled to accumulate such sick leave days or any of them for a period of six years

Section 2 Any present employe who has two or more years of continuous service with the county and any employe who shall hereafter have had two years of continuous service with the county shall be entitled to sick leave of thirty days less the number of days of sick leave used during such period

Section 3 Any present employe who has had one or two years of continuous service with the county and any employe who shall hereafter have had one or two years of continuous service with the county shall be entitled to a sick leave equal to the number of years of said continuous service times the number of days sick leave to which they were annually entitled less the number of days of sick leave days actually used during said period

Section 4 All such accumulated sick leaves shall be used only for actual sickness or disability where the employe is physically incapacitated for the proper performance of his duties. Each case shall be judged on its own merits and proper consideration should be given the past record of the employe and the circumstances connected with the case

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
-----------	------------	-----------	------

Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McCullough,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Gooding,	McMillen,	Serrill,
Bentzel,	Gorman,	Mihm,	Shoemaker,
Beech,	Graybill,	Mikula,	Simons,
Bender,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese R. E.,	Weiss,
Efenberg,	Layer,	Reese D. P.,	Wescott,
Elder,	Lee,	Reilly J. M.,	West,
Erb,	Leisey,	Reilly W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Rover,	Lichtenwalter,
Frost,	McCormack,	Sarraff,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 587, as follows:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of three hundred eighty thousand three hundred twenty-seven dollars and eighty-two cents (\$380,327.82) or as much thereof as may be necessary is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Gooding,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Miller,	Miller,	Smith, C. C.,
Bloom,	Greenwood,	Mills,	Smith, C. M.,
Boies,	Greer,	Mintess,	Snider,
Bonawitz,	Griffiths,	Mohr,	Sollenberger,
Boorse,	Guthrie,	Mooney,	Sorg,
Bower,	Gyger,	Moore, C. E.,	Sproul,
Breisch,	Hall,	Moore, H. A.,	Stank,
Brice,	Haller,	Morrison,	Stimmel,
Brown,	Haudenschild,	Murray,	Stockham,
Brunner,	Helm,	Myers,	Stonier,
Buchin,	Henry,	Najaka,	Stuart,
Cadwalader,	Hewitt,	Naumann,	Swope,
Capano,	Hocker,	Needham,	Tahl,
Cassidy,	Hoffman,	Neff,	Thomassy,
Chervenak,	Hoopes,	Nelson,	Thompson,
Chudoff,	Horan,	O'Connor,	Tittle,
Cochran,	Imbt,	O'Dare,	Tompkins,
Cole,	Jennings,	O'Donnell,	Toomey,
Cook,	Johnson,	O'Neill,	Turner,
Cooper,	Johnston,	Orban,	Upshur,
Cordier,	Jones,	Patten,	Vaughan,
Costa,	Jump,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kelley,	Pickens,	Wagner,
Dalrymple,	Kemp,	Polaski,	Waldron,
Davison,	Kent,	Powers,	Wallin,
De Long,	Kirley,	Price,	Walton,
Demech,	Kline,	Propert,	Waterhouse,
Dennison,	Kohl,	Ragot,	Watkins,
Depuy,	Kratz,	Readinger,	Watson,
Dix,	Krise,	Reagan,	Weidner,
Dye,	Kurtz,	Reese, D. P.,	Weiss,
Efenberg,	Laughner,	Reese, R. E.,	Wescott,
Elder,	Layer,	Reilly, J. M.,	West,
Erb,	Lee,	Reilly, W. J.,	Wheeler,
Evans,	Leisey,	Richter,	Wolf,
Ewing,	Livingston,	Riley,	Wood,
Feola,	Livingstone,	Robbins,	Worley,
Fish,	Loftus,	Robertson,	Yeakel,
Fiss,	Lovett,	Root,	Yester,
Flack,	Lyons,	Rose,	Yetzer,
Fleming,	Madden,	Rowen,	Young,
Foor,	Madigan,	Rover,	Lichtenwalter,
Frost,	Mazza,	Sarraff,	Speaker
	McCormack,		

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 687, as follows:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians including children as well as family groups industrial workers and others

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars (\$150,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing research and demonstrations on improvement in nutritional status and consequent improvement in physical well-being of civilians based on research work now in progress. The Department of Health shall commission said research work and demonstrations to said Land Grant College and remain in an advisory capacity so as to benefit by such results of the research and demonstrations as may ensue. The moneys so appropriated shall be advanced to the Land Grant College of Pennsylvania at such time or times and in such amounts as the college shall request.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	West,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Roe,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
For,	Mazza,	Royer,	
Frost,	McCormack,	Tarrar,	

NAYS—0

NOT VOTING—2

Clevenger, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 688, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby appropriated to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Darby and Tinicum Townships Delaware County and in Philadelphia County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McCormack,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	Wheeler,
Erb,	Leisey,	Reilly, W. J.,	West,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,

Foor, Frost.	Mazza, McCosker.	Royer, Sarraf.	Lichtenwalter, Speaker
-----------------	---------------------	-------------------	---------------------------

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 700, as follows:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes assessed and levied by the city or school district are delinquent and unpaid fixing the interests of all taxing authorities where such lands are purchased by the city providing for the distribution of moneys received as income from or resale of such lands and providing for a method of reselling such lands purchased by the city or by the city and school district within said city at any sale for the non-payment of taxes free and clear of all mortgages ground rents interest in or claims against said lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the remedies now provided by law for the collection of delinquent city taxes the city treasurers of cities of the second class of this Commonwealth are hereby authorized and empowered to sell at public sale in the manner hereinafter provided property upon which the taxes assessed and levied have not been paid and have become delinquent Such sales shall be made on the first Monday in June in the year succeeding the year in which the respective taxes are assessed and levied or on any day to which such sale may be adjourned or on any first Monday of June in any succeeding year

Section 2 Where the respective treasurer has not already in his hands the duplicates of said taxes or certificates or schedules thereof it shall be the duty of any receiver or collector of taxes or other person having such delinquent taxes in his hands to certify to the said city treasurer schedules of all unpaid taxes with descriptions of the property assessed and it shall be the duty of the city treasurer to advertise for sale all the lands upon which it appears the taxes have not been paid as shown by the duplicates in his hands or by the returns or schedules certified to him as aforesaid Said advertisement shall be made once a week for three successive weeks prior to the day of sale in at least two newspapers of general circulation and in the legal newspaper printed and published in the respective city The treasurer shall also cause to be posted or tacked in a conspicuous place on each parcel or lot of land advertised for sale at least ten days prior to the day of sale a notice stating that said lands will be sold by said treasurer for delinquent taxes on a certain day and time and at a certain place within the city for which posting of notice he shall receive and tax as costs one dollar No sale shall be valid where the taxes have been paid prior to said advertisement or where the taxes and costs have been paid after advertisement and before sale

Section 3 The lands sold under this act may be redeemed by the owner or by any one interested in said lands at any time within one year after such sale by the payment to the city treasurer of the full amount which the purchaser paid to said treasurer for taxes and costs and ten per centum in addition thereto and when the sale has been made for less than the taxes and costs the party redeeming shall pay to said treasurer the balance of taxes and costs which

were not made by the sale of the said property In case there are any city or school taxes levied either before or after the said sale which remain unpaid the person redeeming shall pay the same and all penalties interest and lien costs thereon and in case the purchaser has paid any taxes of any kind whatsoever assessed and levied against said property the same shall be reimbursed to said purchaser before any redemption shall take effect The said treasurer shall keep in his office a book or schedule in which he shall enter all the sales made by him giving a description of each property sold the name of the person as the owner thereof as the same appears upon the duplicate or has been returned to him the time of sale and the price at which sold together with the cost Each respective city shall have the right to bid at any such sale the amount of taxes and costs and if necessary purchase such lands

Section 4 It shall be the duty of the purchaser or purchasers at said treasurer's sale as soon as the property is struck down to pay the amount of the purchase money and before delivery of deed all other city and school taxes penalties interest and lien costs if such purchase money is insufficient for the payment thereof and also one dollar and fifty cents for the use of the prothonotary for entering the report of the treasurer and acknowledgment of the treasurer's deed as hereinafter mentioned and in case said amount is not forthwith paid after the property is struck down the sale may be avoided and the property immediately put up again by the said treasurer Provided however That this section shall not apply when the lands are purchased by said city

Section 5 It shall be the duty of the city treasurer at the first term of a court of common pleas of the proper county succeeding such sale to make a report and return wherein he shall set forth a brief description of the land or property sold the name of the person (where known) in which the same is assessed the amount of tax and the year for which the same is assessed the time when and the newspapers in which the advertisement for sale was made with a copy of said advertisement the time of sale the name of the purchaser and the price for which each respective property was sold and upon the presentation of said report or return if it shall appear to said court that such sale has been regularly conducted under the provisions of this act the said report and the sale so made shall be confirmed nisi in case no objections or exceptions are filed to said sale within ten days a decree of absolute confirmation may be entered as of course by the prothonotary In case any objections or exceptions are filed they shall be disposed of according to the practice of said courts and when the same are overruled or set aside a decree of absolute confirmation shall be entered as aforesaid but all objections or exceptions shall be confined to the regularity of the proceedings of said treasurer

Section 6 After any sale of property or lands for delinquent taxes has been confirmed by the court as aforesaid it shall be the duty of the purchaser or purchasers where the bid exceeds the taxes and costs as aforesaid to make and execute to the said treasurer for the use of the persons entitled a bond for the surplus money that may remain after satisfying and paying all the taxes and costs as aforesaid with warrant of attorney to confess judgment annexed thereto and it shall be the duty of said treasurer to forthwith file said bond in the office of the prothonotary of the proper county at the number and term where said report and return is filed and the surplus bond filed as aforesaid from the time of the date of the deed for property thus sold shall bind as effectually and in like manner as judgments the land by said treasurer sold into whose hands or possession soever they may come and the owner of said lands at the time of sale their heirs or assigns or other legal representatives may at any time within five years after such sale cause judgment to be entered in said court upon said bond in the name of said treasurer for the use of said owners their heirs assigns or legal representatives (as the case may be) and in case the moneys mentioned in said bonds with legal interest thereon from the time it is demanded be not paid within three months after such

entry execution may forthwith issue for the recovery thereof

Section 7 When the purchaser has paid the amount of his bid and all other city and school taxes penalties interest and lien costs if any and has given the surplus bond as above required if necessary it shall be the duty of the city treasurer to make the said purchaser or purchasers his or their heirs or assigns a deed in fee simple for the lands sold as aforesaid and the said deed or deeds to duly acknowledge in the court of common pleas and such acknowledgment shall be duly entered and recorded by the prothonotary of said court in the treasurer's deed book and for such service and the entry of the report of said treasurer said prothonotary shall receive the sum of one dollar and fifty cents

Section 8 Where the owner or other person interested in the land thus sold shall redeem the same it shall be the duty of the city treasurer to acknowledge the receipt of the redemption moneys upon the margin of the acknowledgment of the treasurer's deed as the same is entered and recorded in the prothonotary's office as aforesaid and thereafter said deed shall be void and of no effect and thereupon such owner or persons interested as aforesaid shall be entitled to have the treasurer's deed delivered up to him her or them by the purchaser for cancellation And it shall be the duty of the said treasurer to pay to said purchaser all the moneys he had paid at the time of sale together with the ten per centum penalty thereon and it shall also be the duty of said treasurer to enter upon the book of sales kept by him as hereinbefore provided an acknowledgment or receipt showing that the owner or party interested redeemed the same therein giving date of redemption and amount of money received

Section 9 After the period for redemption as provided for in this act has expired and the said lands have not been redeemed it shall be the duty of the city treasurer to certify to the board or boards of assessors or proper assessing authorities charged with the duty of assessing such real estate for purposes of taxation that he sold the lands redemption has expired and said lands have not been redeemed to the grantee named in the deed and that the period for deemed and if the said lands have been sold to the city the aforesaid assessing authorities shall not thereafter return said lands for purposes of taxation and no taxes shall be levied thereon as long as the property is held and owned by the city Copies of the aforesaid certification may also be furnished to deed registries or other interested authorities

Section 10 The interests of all taxing authorities having taxes or claims against any property sold to any city of the second class by the city treasurer under the provisions of this act shall be fixed and determined as of the time of the certification by the city treasurer as provided for in section eight and shall remain fixed without the necessity of filing or reviving liens or otherwise preserving such taxes or claims and shall take priority over all mortgages ground rents or claims whatsoever until said taxes or claims are fully paid or otherwise divested by law and if the said city received income from the property it shall distribute any net income first to the cost of the treasurer's sale and the balance to the interested taxing authorities in proportion to their taxes and claims against the property until such taxes and claims have been liquidated and thereafter in proportion to their rate of tax levy within the city

Section 11 If upon a resale by the city of any property purchased by it under this act either for a sum sufficient to pay all taxes and claims or for a lesser sum as provided hereinafter it should be deemed necessary by said city to conduct proceedings hereinafter set forth to perfect its tax title acquired at the treasurer's sale it shall be lawful for the said city to deduct the costs of said proceedings from the sale price as well as the cost of the original tax sale and the usual commission to a real estate broker if any before distribution of the balance and if the sale price or balance remaining is more than sufficient to pay all taxes and claims then the sum left after all taxes and municipal

claims have been satisfied shall be distributed to the interested taxing authorities in proportion to their rate of tax levy upon real estate within the city at the time of resale If however such sum is less than all taxes and municipal claims such sum shall be distributed to the interested taxing authorities in proportion to their total tax claims against the property regardless of priority of lien and such taxes and municipal claims shall be considered as fully paid and satisfied

Section 12 (a) In case of resale of such lands which have been purchased by the city under this act or by the city or school district within said city at any sale for the non-payment of taxes after the period of redemption has expired it may appear that there are mortgages ground rents rights title interest in or claims against such lands which have not been divested by the tax sale or other defects or objections to a good and marketable title the city may present its petition or complaint with a search of title attached to the court of common pleas of the county wherein the lands are situate setting forth (1) the location of the lands by metes and bounds or if it be in a recorded plan of lots the plan number of the lot and place of record of the plan or reference to a former deed of record (2) the names or names of the former owner or owners reputed owners mortgagees assignees or any other person or persons shown by such title search to have any mortgage ground rent right title interest in or claim against such land if any there be (3) that upon diligent inquiry no person has been found who has or claims to have any mortgage ground rent right title interest in or claim against said land unless it be those named in the petition (4) that the period of redemption has expired and the city or school district has agreed to sell said land setting forth the sum offered therefor which may be less than the sum of all taxes and municipal claims against the land (5) the sum of all taxes and municipal claims due each taxing authority

(b) Thereupon a rule shall be granted upon the persons named in the petition and generally upon all other persons not named in the petition who have or claim to have or may appear to have any mortgage ground rent right title interest in or claim against said land to appear within thirty days from service of the rule upon them and show cause why the title of the petitioner or complainant to said land should not be adjudicated and decreed valid and indefeasible as against all mortgages assignees or other persons having any right title interest in or claim against said lands whatsoever and to further show cause why the sale of the said land by the city or school district should not be made free and clear of their respective mortgages ground rents interests or claims whatsoever The rule may be made returnable to such term or return day as may be fixed by the court

(c) As to persons domiciled within the county or in any other county of this Commonwealth and whose whereabouts may be ascertained the rule shall be served and returned as writs of summons are served and returned As to those persons whose domicile is without the Commonwealth the petitioner or complainant may have any competent adult serve the defendant personally and file an affidavit to that effect If a defendant is dead or his identity or whereabouts is unknown and cannot be ascertained the petitioner or complainant shall file an affidavit to that effect wherein the affiant may state that the heirs and assigns of a named former owner are unknown and if the court is satisfied that due inquiry has been made the rule shall be served by one advertisement in a newspaper of general circulation and the legal newspaper publication may direct giving notice to all persons including those listed in the city where the land is situate or as the court named in the petition to appear on or before the return day of the rule and show cause why the title of the city or school district should not be adjudicated and decreed valid and indefeasible as against all mortgages ground rents rights title interest in or claims against the land whatsoever and to further show cause why the sale of the said land should not be made by the city or school district

free and clear of all the aforesaid claims whatsoever Said advertisement shall be made at least thirty days before the return day of said rule and shall be deemed a good and sufficient service of the rule as to all persons whatsoever Said rule shall also be served personally upon other interested taxing authorities

Section 13 In case no person shall appear at or before the return day and make answer to said petition and rule or make objection to the sale of the said land by the city or school district and the court is satisfied that the proposed sale is proper and to the advantage of all interested taxing authorities upon affidavit filed by petitioner or complainant that the aforesaid rule to show cause properly endorsed with notice to plead has been served and that the defendant has not filed an answer and that no person has objected to said sale it shall enter a decree making said rule absolute and approving such sale and direct a conveyance of such land to the person or persons to whom the city or school district has agreed to see free and clear of all mortgages ground rents rights title interest in or claims against said land whatsoever and the price received therefore after deducting all costs of this proceeding and of the original tax sale as well as the usual commission to a real estate broker if any shall be distributed to the respective taxing authorities as hereinbefore provided for

Section 14 If any person shall appear and make answer or objections to said petition or complaint and rule and said answer or objection shall contest the adequacy of the price for which the city or school district has agreed to sell said land the court shall fix a time within thirty days from the aforesaid return for all persons to appear before said court and make offers for said land and the court may approve such offer as in its discretion appears to be in the interest of all taxing authorities having claims against the land If however such answer or objection sets up any claim to a mortgage ground rent right title interest in or claim against said land adverse to the title of the city or school district the court shall order and decree that such person or persons shall commence proceedings within thirty days to foreclose any mortgage bring his action in eement or such other proceeding as may be necessary to establish his claim and failing therein within the time aforesaid the court shall make said rule absolute and direct a conveyance of the land as provided in section eleven hereof If any person or persons appear at any stage of the proceedings who may appear to the court to have any interest whatsoever in the land and pay all taxes which would have been levied against said land had the same not been certified to the assessors and removed from the tax rolls as well as the costs of this proceeding the court may direct a conveyance to said person but no real estate commission shall be paid

Section 15 If any city treasurer of a city of the second class is also treasurer and or collector of school taxes for the school district of said city then this act and all its terms and conditions and to all intents and purposes may be applied to the collection of school taxes assessed and levied for school purposes within such city of the second class but shall not be considered as an exclusive remedy for the collection of school taxes The city shall be considered a trustee for the school district when lands are purchased by the city at its treasurer's sale whereon school taxes are due and owing

Section 16 All lands heretofore or hereafter purchased by any city of the second class or school district within such city at a sheriff sale treasurer's sale or any sale for the nonpayment of city or school taxes and held beyond the period of redemption may be sold to a purchaser under the terms of sections eleven twelve thirteen and fourteen this act

Section 17 The act approved the thirtieth day of March one thousand nine hundred three (P. L. 106) entitled "An act authorizing and empowering the city treasurers of the several cities of second class and third class of this Commonwealth to sell at public sale all properties upon which the taxes assessed and levied are delinquent and remain unpaid" and its amendments are hereby repealed insofar as they relate to cities of the second class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintes,	Snyder,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stoekham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Proper,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, E. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 701, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred thousand dollars (\$400,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the general maintenance of and for research in the School of Veterinary Medicine of the University and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the School of Veterinary Medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 713, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An appropriation is hereby made to the Elwyn Training School of Elwyn in the County of Delaware Commonwealth of Pennsylvania for the maintenance of six hundred fifty (650) wards of the Commonwealth at five hundred forty dollars (\$540) per capita per annum and the sum of seven hundred and two thousand dollars (\$702,000) or as much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and forty-seven Absences or vacations of three weeks or less in any calendar year shall not be deducted but any absences or vacations in excess of three weeks in any calendar year shall be deducted

Section 2 The appropriation made by section one of this act is made on the condition that every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defectives or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,

De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Lelsey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 737, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission out of the Motor License Fund to be used for the construction of a driveway at the Ephrata Cloisters Ephrata Lancaster County Pennsylvania and the payment of all costs and expenses necessary and incident thereto including wages and professional fees the purchase of materials the grading paving and edging and the construction of catch basins and drainage lines

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Myers,	Sproul,
Breisch,	Haller,	Moore, C. E.,	Stank,
Brice,	Haudenschild,	Moore, H. A.,	Stimmel,
Brown,	Helm,	Morrison,	Stockham,
Brunner,	Henry,	Murray,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,

Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Lelsey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 738, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation protection and development of certain buildings at Ephrata Cloister an important historical shrine belonging to the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to conserve protect and develop certain historic buildings at Ephrata Cloister which without prompt care will soon deteriorate beyond remedy the sum of seventy-five thousand dollars (\$75,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission to be used for essential repairs at the Ephrata Cloister at Ephrata Lancaster County Pennsylvania for the payment of wages of skilled craftsmen and other workmen for the purchase of materials and equipment for contracted repairs and for the payment of professional fees for architectural supervision

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,

Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarrafi,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 739, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty thousand dollars (\$20,000) or as much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge Beaver County Pennsylvania known as "Old Economy" in order further to prepare the same for public use as a museum commemorating the life and times of the former owner The Harmony Society its notable past in the industrial development of western Pennsylvania and its world-wide fame as an experiment to community life

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Cochran,	Jennings,	O'Donnell,	Tompkins,
Cole,	Johnson,	O'Neill,	Toomey,
Cook,	Johnston,	Orban,	Turner,
Cooper,	Jones,	Patten,	Upshur,
Cordier,	Jump,	Petrosky,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Lelsey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarrafi,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 840, as follows:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-five thousand dollars (\$25,000) or as much thereof as may be necessary is hereby appropriated out of the General Fund to the Department of Public Instruction for the two fiscal years commencing June first one thousand nine hundred forty-seven for the purpose of promoting farm and home safety education through the schools and farm and home organization in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Kurtz,	Reese, D. P.,	
Dix,	Laughner,	Reese, R. E.,	
Dye,	Layer,	Reilly, J. M.,	
Efenberg,	Lee,	Reilly, W. J.,	
Elder,	Leisey,	Richter,	
Erb,	Livingston,	Riley,	
Evans,	Livingstone,	Robbins,	
Ewing,	Loftus,	Robertson,	
Feola,	Lovett,	Root,	
Fish,	Lyons,	Rose,	
Fiss,	Madden,	Rowen,	
Flack,	Madigan,	Royer,	
Fleming,	Mazza,	Sarra,	
Foor,	McCormack,		
Frost,			

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 843, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police is hereby authorized to acquire by purchase or condemnation land with improvements thereon in the Borough of Punxsutawney Jefferson County Pennsylvania suitable for use as a Pennsylvania State Police barracks

Section 2 The land shall not be acquired until the title thereto has been approved by the Department of Justice and the deed or deeds of conveyance shall be deposited with the Department of Interior Affairs

Section 3 Upon acquisition of any such property the Department of Property and Supplies may alter improve or repair the same so that the building or buildings thereon may be utilized as Pennsylvania State Police barracks

Section 4 The sum of sixty thousand dollars (\$60,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price or damages in condemnation of said land and for the alteration improvement or repair of the same to effectuate the purpose of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,		Watkins,

Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 918, as follows:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Williamson Free School of Mechanical Trades in Delaware County Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stokham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	
Cassidy,	Hoopes,	Neff,	
Chervenak,	Horan,	Nelson,	
Chudoff,	Imbt,	O'Connor,	
Cochrau,	Jennings,	O'Dare,	
Cole,	Johnson,	O'Donnell,	
Cook,	Johnston,	O'Neill,	
Cooper,	Jones,	Orban,	
Cordier,	Jump,	Patten,	

Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davidson,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Feola,	Livingstone,	Riley,	Wood,
Fish,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Flack,	Lyons,	Root,	Yester,
Fleming,	Madden,	Rose,	Yetzer,
Foor,	Madigan,	Rowen,	Young,
Frost,	Mazza,	Royer,	Lichtenwalter,
	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 928, as follows:

An Act making an appropriation to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of costs of new construction and repairs

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the George Jr Republic Association Grove City Pennsylvania for the payment of the cost of constructing additional dormitories and the repair of existing buildings

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stokham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,

Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kamp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 640
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1004, as follows:

An Act making an appropriation to the Pennsylvania Department of Highways for roads paths and parking areas on the Daniel Boone Homestead property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six thousand dollars (\$6000) is hereby appropriated to the Department of Highways of the Commonwealth of Pennsylvania beginning the first day of June one thousand nine hundred forty-seven for the payment of salaries wages materials and other incidentals for the construction improvement grading and planting of roads paths and parking areas and other incidental and contingent expenses on the Daniel Boone Homestead a property of the Commonwealth administered by the Pennsylvania Historical Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMullen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Hall,	Moore, H. A.,	Sproul,
Brelschi,	Haller,	Mooney,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Heim,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dairymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Lelsey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarra,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1006, as follows:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvement of the Daniel Boone Homestead

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of fifteen thousand dollars (\$15,000) is hereby appropriated to the Pennsylvania Historical and Museum Commission for the Daniel Boone Homestead beginning the first day of June one thousand nine hundred forty-seven for the construction of a comfort station with sewage disposal and water for the same and of a bath house with toilets with sewage disposal and water for the same and for the construction alteration and repair of

a caretaker's house garage and barn and for the purchase of furniture for household furnishings for the Homestead and farming implements machinery and wagons for the barn and for use in cultivating the land and for fencing grading and planting and for other incidental and contingent expenses on the Homestead property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.
Boies,	Griffiths,	Intess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Hall,	Moore, H. A.,	Sproul,
Brelsch,	Haller,	Mooney,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hock,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kent,	Pichney,	Wachhaus,
Dague,	Kelley,	Pickens,	Wagner,
Dairymple,	Kemp,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Eitenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Flash,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1162, as follows:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" further providing for payment of filing fees in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) and the last paragraph of section nine hundred thirteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and arts of acts relating to elections" subsection (b) of which was last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 480) the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 696) the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 955) and the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1010) are hereby amended or further amended as the case may be to read as follows

Section 913 Place and Time of Filing Nomination Petitions Filing Fees * * * *

(b) Each person filing any nomination petition shall pay for each petition at the time of said filing a filing fee to be determined as follows and no nomination petition shall be accepted or filed unless and until such filing fee is paid by a certified check or money order or also by cash when filed with the county board Whenever a petition is to be filed with the county board the person [filing] desiring to file the same [may] shall pay the filing fee [with] in cash [and in such cases the payment shall be made] or by a certified check or money order to the county treasurer who shall stamp the [same] petition "Filing Fee Paid" together with the date of [filing All petitions] payment No petition which is not so marked shall be received and filed by the county board [and the money so paid shall become part of the General Fund Said certified] All moneys paid on account of filing fees shall become part of the General Fund Certified checks or money orders in payment of filing fees shall be made payable to the Commonwealth of Pennsylvania or to the county as the case may be and shall be transmitted to the State Treasurer or paid to the county treasurer and shall become part of the General Fund

1 If for the office of President of the United States or for any public office to be filled by the electors of the State at large the sum of fifty dollars (\$50.00)

2 If for the office of Representative in Congress or judge of a court of record excepting judges to be voted for by the electors of the State at large and associate judge the sum of thirty-five dollars (\$35.00)

3 If for the offices of senator or representative in the General Assembly or for any office to be filled by the electors of an entire county other than jury commissioner associate judge or prison inspector or county auditor in counties of the eighth class the sum of twenty-five dollars (\$25.00) if for the office of jury commissioner as associate judge the sum of ten dollars (10.00) if for the office of

county auditor in counties of the eighth class the sum of five dollars (\$5.00) if for the office of prison inspector the sum of two dollars (\$2.00) if for any office to be filed by the electors of an entire city the following sums if in a city of the first or second class twenty-five dollars (\$25.00- if in a city of the second class A fifteen dollars (\$15.00) and if in a city of the third class ten dollars (\$10.00)

4 If for any borough town township of the first class district or poor district office not otherwise provided for the sum of two dollars (\$2.00)

6 If for the office of delegate or alternate delegate to National party convention or member of National committee or member of State committee the sum of ten dollars (\$10.00)

8 If for the office of alderman justice of the peace or constable the sum of two dollars (\$2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar (\$1.00)

Provided however That no filing fee shall be paid for a nomination petition for any public office for which no compensation is provided by law nor for any nomination petition for any public officer in any township of the second class

* * * * *

Petitions to be filed in the office of the Secretary of the Commonwealth shall be received in said office not later than 5 o'clock p m on the last day for filing same and all petitions to be filed with any county board of elections shall be received in said office not later than the ordinary closing hour of said office on the last day for filing same Payment of filing fees to the county treasurer shall not be deemed to constitute compliance with the provisions of this act in respect to filing

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Scuser,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintoss,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Proport,	Waterhouse,

Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1190, as follows:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate declaring such taxing authority trustee for other taxing authorities and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 As used in this act

(1) "Taxing authority" shall mean the county or the county institution district poor district city borough town township and school district of any county

(2) "Trustee" shall mean the taxing authority of any county having authority by law to purchase real estate at a tax sale against which it holds tax claims

Section 2 Whenever the trustee in any county of this Commonwealth has purchased real estate at a tax sale it shall hold the title thereto in trust for itself and the other taxing authorities having tax claims against such real estate and so long as it holds title to said real estate and collects rents therefrom it shall make distribution of such rentals to and among the several taxing authorities according to their respective interests therein without unreasonable delay

Section 3 The rents and rentals of any such property shall be computed upon the same basis according to the same formula and subject to the same priorities that taxes and the proceeds of the resale of such real estate is computed and distributed by the trustee under the provisions of law

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stank,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Capano,	Hocker,	Naumann,	Swope,
Cadwalader,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chudoff,	Horan,	Nelson,	Thompson,
Clevenger,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kilne,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker

NAYS—0.

NOT VOTING—2.

Chervenak. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1243, as follows:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property
The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand dollars (\$1000) is hereby specifically appropriated to the Cresson Volunteer Fire Company for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the protection of State property at the Cresson Sanitorium

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kilne,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fiss,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1245, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of four hundred ninety thousand five hundred dollars (\$490,500) or as much thereof as may be

necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kelley,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kiline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reese, D. P.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakei,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter
Frost,	McCormack,	Sarrafi,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1246, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million seven hundred fifty thousand (\$2,750,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kelley,	Petrosky,	Verona,
Crowley,	Kean,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakei,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter
Frost,	McCormack,	Sarrafi,	Speaker

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1247, as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-five thousand five hundred dollars (\$45,500) is hereby specifically appropriated to the Moore Institute of Art Science and Industry formerly Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-seven Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the senator of each such county except that for counties having more than one senator as many scholarships shall be provided as there are senatorial districts in such counties and in case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then any senator of any senatorial district shall have the power to fill such vacancies by the appointment of additional applicants from his own district or any other senatorial district of the State

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Simons,	Mikula,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,

Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1248, as follows:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-one thousand dollar (\$41,000) is hereby specifically appropriated to the Board of Trustees of the Philadelphia Museum Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dalrymple,	Kemp,	Pickens,	Wagner,
Davison,	Kent,	Polaski,	Waldron,
De Long,	Kirley,	Powers,	Wallin,

De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1249, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million one hundred fifty thousand dollars (\$2,150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,

Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petroosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1250, as follows:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-nine thousand dollars (\$69,000) or as much thereof as may be necessary is hereby appropriated to The Franklin Institute of the State of Pennsylvania at Philadelphia for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of the maintenance of said institute

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, I. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,

Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopees,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kilne,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1251, as follows:

An Act making an appropriation from the Motor License Fund to the State Employees Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million four hundred fourteen thousand seven hundred eleven dollars (\$1,414,711) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State Employees receiving compensation from the Motor License Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of four hundred eighty-six thousand two hundred twenty dollars (\$486,220) to the credit of the Contingent Reserve Account the sum of eight hundred twenty-eight thousand four hundred ninety-one dollars (\$828,491) and to the credit of the Pennsylvania State

Police Retirement Account the sum of one hundred thousand dollars (\$100,000)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsach,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopees,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kilne,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1252, as follows:

An Act making an appropriation from the Banking Department Fund to the State Employees' Retirement Board

to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand seven hundred fifty-seven dollars (\$40,757) or as much thereof as may be necessary is hereby specifically appropriated out of the Banking Department Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred and forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of fifteen thousand forty-two dollars (\$15,042) and to the credit of the Contingent Reserve Account the sum of twenty-five thousand seven hundred fifteen dollars (\$25,715)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,

Fleming,
Foor,
Frost,

Madigan,
Mazza,
McCormack,

Rowen,
Royer,
Sarraf,

Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Clevenger,

Trent,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1253, as follows:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of twenty-four thousand nine hundred sixty dollars (\$24,960) or as much thereof as may be necessary is hereby specifically appropriated out of the Fish Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Fish Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of nine thousand two hundred ninety dollars (\$9,290) and to the credit of the Contingent Reserve Account the sum of fifteen thousand six hundred seventy dollars (\$15,670)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,

Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwaller,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1254, as follows:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty-seven thousand six hundred ten dollars (\$47,610) or as much thereof as may be necessary is hereby specifically appropriated out of the Game Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Game Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of seventeen thousand four hundred seventy-six Reserve Account the sum of thirty thousand one hundred thirty-four dollars (\$30,134)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bana,	Gibson,	McDonald,	Schuster,

Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Grimths,	Mintz,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Jennings,	O'Connor,	Tittle,
Cochran,	Johnson,	O'Dare,	Tompkins,
Cole,	Johnston,	O'Donnell,	Toomey,
Cook,	Jones,	Orban,	Turner,
Cooper,	Jump,	Patten,	Upshur,
Cordier,	Kean,	Petrosky,	Vaughan,
Costa,	Kelley,	Pichney,	Verona,
Crowley,	Kemp,	Pickens,	Wachhaus,
Dague,	Kent,	Polaski,	Wagner,
Dalrymple,	Kirley,	Powers,	Waldron,
Davison,	Kline,	Price,	Wallin,
De Long,	Kohl,	Propert,	Walton,
Demech,	Kratz,	Ragot,	Waterhouse,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Laughner,	Reese, D. P.,	Weiss,
Dye,	Layer,	Reese, R. E.,	Wescott,
Efenberg,	Lee,	Reilly, J. M.,	West,
Elder,	Lelsey,	Reilly, W. J.,	Wheeler,
Erb,	Livingston,	Richter,	Wolf,
Evans,	Livingstone,	Riley,	Wood,
Ewing,	Loftus,	Robbins,	Worley,
Feola,	Lovett,	Robertson,	Yeakel,
Fish,	Lyons,	Root,	Yester,
Fiss,	Madden,	Rose,	Yetzer,
Flack,	Madigan,	Rowen,	Young,
Fleming,	Mazza,	Royer,	Lichtenwaller,
Foor,	McCormack,	Sarra,	Speaker.
Frost,			

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1255, as follows:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seventeen thousand forty-two dollars (\$17,042) or as much thereof as may be necessary is hereby specifically appropriated out of the Manufacturing Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State em-

ployees receiving compensation from the Manufacturing Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of six thousand one hundred ninety-four dollars (\$6,194) and to the credit of the Contingent Reserve Account the sum of ten thousand eight hundred forty-eight dollars (\$10,848)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fis,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Sarraf,	Lichtenwalter,
Frost,	McCormack,	Royer,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1256, as follows:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred thirty-seven thousand six hundred twenty-three dollars (\$737,623) or as much thereof as may be necessary is hereby specifically appropriated out of the State Stores Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of two hundred seventy-two thousand seven hundred fifty-two dollars (\$272,752) and to the credit of the Contingent Reserve Account the sum of four hundred sixty-four thousand eight hundred seventy-one dollars (\$464,871)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,

Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1257, as follows:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-three thousand two hundred twenty-five dollars (\$63,225) or as much thereof as may be necessary is hereby specifically appropriated out of the State Workmen's Insurance Fund to the State Employees' Retirement Board for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for payment from time to time into the State Employees' Retirement Fund to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund

Section 2 Of the sum appropriated by this act there shall be paid into the State Employees' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum of twenty-three thousand four hundred forty-eight dollars (\$23,448) and to the credit of the Contingent Reserve Account the sum of thirty-nine thousand seven hundred seventy-seven dollars (\$39,777)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Grimths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,

Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopea,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Probert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Wells,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fliss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1258, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ninety-one thousand dollars (\$91,000) or as much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School at Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the purpose of maintenance to be paid according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,

Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1259, as follows:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment costs incurred by that department in acting as purchasing agent for the Department of Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of sixty-eight thousand one hundred twenty-five dollars (\$68,125) or as much thereof as may be necessary is hereby specifically appropriated from the Motor License Fund to the Department of Property and Supplies for the two fiscal years commencing the first day of June one thousand nine hundred forty-seven for the payment of the salaries wages or other compensation of such bureau or division chiefs experts engineers accountants secretaries auditors inspectors examiners statisticians clerks stenographers bookkeepers messengers and other assistants and employees for the payment of postage

traveling expenses telephone toll charges telegrams newspaper advertising and notices for the payment of the costs of advertising schedules of supplies proposals for executing any contract work readvertising any schedules or proposals when necessary for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of all other materials supplies and equipment and for the payment of such other expenses as may be necessary for the proper conduct of the work of the department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1260, as follows:

An Act making an appropriation from the Motor License Fund to the Board of Finance and Revenue to meet interest sinking fund and service requirements on the State debt

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten million two hundred six thousand four hundred thirteen dollars (\$10,206,413) is hereby specifically appropriated from the Motor License Fund to the Board of Finance and Revenue for payment into the Sinking Fund to meet interest and sinking fund requirements on the State debt for the two fiscal years commencing June first one thousand nine hundred and forty-seven The amount hereinbefore appropriated shall be transferred by the Auditor General and the State Treasurer upon requisition of the Board of Finance and Revenue from the Motor License Fund to the Sinking Fund on or before the dates and in the manner set forth in the following schedule

Dates	Principal	Interest	Total
July 1, 1947	\$683,972.60	\$417,500.00	\$1,101,472.69
August 2, 1947 ...	214,736.73	292,200.00	506,936.73
September 1, 1947	660,138.29	120,000.00	780,138.29
October 1, 1947 ..	313,818.29	80,000.00	393,818.29
December 1, 1947	384,958.90	80,000.00	464,958.90
January 2, 1948 ..	20,440.00	417,500.00	437,940.00
February 2, 1948		292,200.00	292,200.00
March 1, 1948 ...	10,150.00	120,000.00	130,150.00
April 1, 1948	687,591.66	80,000.00	767,591.66
June 1, 1948	168,000.00	80,000.00	248,000.00
July 1, 1948	683,972.69	417,500.00	1,101,472.69
August 1, 1948 ...	214,736.61	292,200.00	506,936.61
September 1, 1948	660,138.29	120,000.00	780,138.29
October 2, 1948 ..	313,818.29	80,000.00	393,818.29
December 1, 1948	384,958.90	80,000.00	464,958.90
January 2, 1949 ..	20,440.00	417,500.00	437,940.00
February 1, 1949		292,200.00	292,200.00
March 1, 1949 ...	10,150.00	80,000.00	90,150.00
April 2, 1949	687,591.66	80,000.00	767,591.66
June 1, 1949	168,000.00	80,000.00	248,000.00
Total	\$6,287,613.00	\$3,918,800.00	\$10,206,413.00

Section 2 The sum of one thousand dollars (\$1000) or as much thereof as may be necessary is hereby appropriated to the Board of Finance and Revenue from the Motor License Fund to pay the cost of printing or engraving denominations of bonds required by the Loan and Transfer Agent in making exchanges for bond holders

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,

Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davidson,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeaker,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1261, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1397) entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania authorizing the storage of such records in available buildings or the construction of a new building to accommodate them if necessary and making an appropriation therefor" is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watson,
Depuy,	Krise,	Readinger,	Weidner,
Dix,	Kurtz,	Reagan,	Weiss,
Dye,	Laughner,	Reese, D. P.,	Wescott,
Efenberg,	Layer,	Reese, R. E.,	West,
Elder,	Lee,	Relly, J. M.,	Wheeler,
Erb,	Lelsey,	Relly, W. J.,	Wolf,
Evans,	Livingston,	Richter,	Wood,
Ewing,	Livingstone,	Riley,	Worley,
Feola,	Loftus,	Robbins,	Yeakel,
Fish,	Lovett,	Robertson,	Yester,
Fiss,	Lyons,	Root,	Young,
Flack,	Madden,	Rose,	Lichtenwalter,
Fleming,	Madigan,	Rowen,	Speaker.
Foor,	Mazza,	Royer,	
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1262, as follows:

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums of moneys are hereby appropriated to the Treasury Department for the payment of replacement checks issued by that department

in accordance with the provisions of the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 996)

Out of the General Fund	\$10,000.00
Out of the Motor License Fund	10,000.00
Out of the Liquor License Fund	2,500.00
Out of the Fire Insurance Tax Fund	1,000.00
Out of the Fish Fund	100.00
Out of the Game Fund	500.00
Out of the School Employees' Retirement Fund ..	10,000.00
Out of the State Workmen's Insurance Fund ..	2,500.00
Out of the Milk Control Fund	500.00
Out of the State Stores Fund	10,000.00
Out of the State School Fund	1,000.00
Out of the State Farm Show Fund	50.00
Out of the State Employees' Retirement Fund ..	5,000.00

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Pettigrew,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Lelsey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Young,
Fleming,	Madigan,	Rowen,	Lichtenwalter,
Foor,	Mazza,	Royer,	Speaker.
Frost,	McCormack,	Sarra,	

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1263, as follows:

An Act making an appropriation for aid to free public non-sectarian county libraries and for the purchase and transportation of books

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars (\$100,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and forty-seven for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1203)

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	
Dennison,	Kratz,	Ragot,	
Depuy,	Krise,	Readinger,	
Dix,	Kurtz,	Reagan,	
Dye,	Laughner,	Reese, D. P.,	
Efenberg,	Layer,	Reese, R. E.,	
Elder,	Lee,	Reilly, J. M.,	
Erb,	Leisey,	Reilly, W. J.,	
Evans,	Livingston,	Richter,	
Ewing,	Livingstone,	Riley,	

Feola,
Fish,
Fiss,
Flack,
Fleming,
Foor,
Frost,

Loftus,
Lovett,
Lyons,
Madden,
Madigan,
Mazza,
McCormack,

Robbins,
Robertson,
Root,
Rose,
Rowen,
Royer,
Sarraf,

Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—2

Clevenger,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1264, as follows:

An Act makin an appropriation to the several fire companies of the City of Harrisburg Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of five thousand dollars (\$5,000) or as much thereof as may be necessary is hereby specifically appropriated for the several fire companies of the city of Harrisburg Pennsylvania as compensation for protection from and extinguishment of any fire or fires that may occur in or on the Capitol buildings or grounds for the two fiscal years beginning June first one thousand nine hundred and forty-seven Said sum to be distributed among said companies in equal amounts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Brelsch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenshield,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	Nelson,	Tittle,
Chudoff,	Imbt,	O'Connor,	Tompkins,
Cochran,	Jennings,	O'Dare,	Toomey,
Cole,	Johnson,	O'Donnell,	Turner,
Cook,	Johnston,	O'Neill,	Upshur,
Cooper,	Jones,	Orban,	Vaughan,
Cordier,	Jump,	Patten,	Verona,
Costa,	Kean,	Petrosky,	Wachhaus,
Crowley,	Kelley,	Pichney,	Wagner,
Dague,	Kemp,	Pickens,	Waldron,
Dalrymple,	Kent,	Polaski,	Wallin,
Davison,	Kirley,	Powers,	Walton,
De Long,	Kline,	Price,	

Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foot,	Mazza,	Royer,	Lichtenwaller,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1265, as follows:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section The sum of six hundred dollars (\$600) or as much thereof as may be necessary is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred forty-seven to be paid to the treasurer of Elk Township Warren County Pennsylvania for the purpose of improving and maintaining in good repair the public roads and highways passing through the Cornplanter Indian Reservation in said township and for the purpose of improving and replacing bridges and their abutments on such roads and highways Said money shall be paid on warrant drawn on the State Treasurer by the Auditor General and shall be disbursed under the direction of the supervisors of Elk Township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,

Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foot,	Mazza,	Royer,	Lichtenwaller,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House ill No. 1267, as follows:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of four hundred and thirty-five thousand dollars (\$435,000) or as much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and forty-seven for the purpose of maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,

Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Fröst,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1268, as follows:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university the purchase of apparatus and equipment therefor and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two million three hundred thousand dollars (\$2,300,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pittsburgh of the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of the University of Pittsburgh the purchase of such apparatus and equipment as the trustees may deem necessary for the best interests of the university including maintenance of teaching facilities in hospitals for students of the School of Medicine of the university including the Maternity Dispensary and other dispensaries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsich,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Fröst,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1269, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty-four thousand

dollars (\$154,000) or as much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred and forty-seven for the general maintenance of the university and the purchase of such apparatus and equipment as the trustees may deem for the best interests of the university

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sjroul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopees,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1270, as follows:

An Act making an appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand dollars (\$750,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopees,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1271, as follows:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of seven hundred fifty thousand dollars (\$750,000) or as much thereof as may be necessary is hereby appropriated to the Department of Labor and Industry for the payment of amounts payable from time to time during the two fiscal years beginning June first one thousand nine hundred forty-seven by the Commonwealth as its share of the compensation payable to claimants for certain occupational diseases in accordance with agreements entered into or awards handed down under the provisions of the "Occupational Disease Compensation Act" approved the second day of July one thousand nine hundred thirty-seven (P. L. 2714) or "The Pennsylvania Occupational Disease Act" approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) as the case may be and for the payment of any such amounts whatsoever due and payable prior to May thirty-first one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Minness,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopce,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Probert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,

Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1272, as follows:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty thousand dollars (\$30,000) or as much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Board of Finance and Revenue for the two fiscal years commencing June first one thousand nine hundred and forty-seven for the payment of the compensation to the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on highway bonds and for other services required to be performed by the said Loan and Transfer Agent Payments from such appropriation shall be made at such times and in such amounts and upon such basis as may be provided by law or agreed upon between the Board of Finance and Revenue and the said Loan and Transfer Agent

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Minness,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,

Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Waldner,
Dye,	Laughner,	Reese, D. P.,	Welss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarrafi,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1273, as follows:

An Act to repeal the act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of June one thousand nine hundred forty-five (P. L. 1395) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to acquire by condemnation or purchase land or land and buildings within the City of Philadelphia and within the City of Pittsburgh or the County of Allegheny and to construct alter improve and equip such property for use of the Commonwealth providing for the maintenance thereof and making an appropriation" is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Ist ganunk geldt doe fer oll die bills besawla?

Perhaps, though Mr. Speaker, I might manage to make myself understood in good English, and I was just wondering whether I might propose that question to the Speaker's lawyer.

But I did want to call attention to this bill that repeals an act that was passed in the 1945 session, a very good act which marked a step in the right direction, at which time the administration then in power contemplated a building program to build office buildings, as I understand it, in Pittsburgh and Philadelphia.

As I gather, this bill will be a backward step in that program. It repeals the act, it nullified one of the fair promises made by a preceding administration, a very admirable promise, what looked like the inauguration of a program which would ultimately free the treasury of the state from the drain of rentals that are paid, sometimes overpaid, in various parts of the Commonwealth.

That is the reason I am personally opposing this bill, one upon which the Democratic caucus has not acted. It is a bad bill and I am still opposed to it, notwithstanding my original observation as to whether there was enough gold in the state to pay if all these bills were passed.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Aaronson,	Goodling,	Madigan,	Sarrafi,
Baumunk,	Gorman,	Mazza,	Sax,
Beech,	Graybill,	McCormack,	Scott,
Bender,	Greenwood,	McCosker,	Serrill,
Bloom,	Greer,	McCullough,	Shoemaker,
Bonawitz,	Griffiths,	McDonald,	Simons,
Boorse,	Guthrie,	McKinney,	Smith, C. C.,
Bower,	Gyger,	McMillen,	Smith, C. M.,
Breisch,	Hall,	Mikula,	Sollenberger,
Brice,	Haller,	Miller,	Sorg,
Brunner,	Haudensfield,	Mintess,	Sproul,
Cadwalader,	Helm,	Mohr,	Stimmel,
Cassidy,	Henry,	Moore, C. E.,	Stockham,
Cook,	Hewitt,	Moore, H. A.,	Stonier,
Cooper,	Hocker,	Morrison,	Stuart,
Cordier,	Hoffman,	Murray,	Tahl,
Costa,	Hoopes,	Myers,	Thomassy,
Crowley,	Horan,	Najaka,	Thompson,
Dague,	Imbt,	Naumann,	Tittle,
Dalrymple,	Jennings,	Neff,	Tompkins,
Davison,	Johnson,	Nelson,	Toomey,
De Long,	Johnston,	O'Dare,	Turner,
Demech,	Jones,	O'Donnell,	Upshur,
Dennison,	Jump,	Orban,	Vaughan,
Depuy,	Kean,	Patten,	Wachhaus,
Dix,	Kelley,	Pichney,	Wagner,
Dye,	Kemp,	Pickens,	Waldron,
Efenberg,	Kent,	Price,	Wallin,
Elder,	Kline,	Propert,	Walton,
Erb,	Kohl,	Ragot,	Waterhouse,
Ewing,	Kratz,	Reagan,	Watkins,
Feola,	Krise,	Reese, D. P.,	Watson,
Fish,	Kurtz,	Reilly, J. M.,	Waldner,
Fiss,	Laughner,	Reilly, W. J.,	Wescott,
Flack,	Layer,	Richter,	West,
Fleming,	Lee,	Riley,	Wolf,
Foor,	Leisey,	Robbins,	Wood,
Frost,	Livingston,	Robertson,	Worley,
Gallagher,	Livingstone,	Root,	Yeakel,
Getchey,	Loftus,	Rose,	Yester,
Gibson,	Lyons,	Rowen,	Young,
Goff,	Madden,	Royer,	Lichtenwalter,
			Speaker.

NAYS—35

Andrews,	Chudoff,	Needham,	Schuster,
Bane,	Cochran,	O'Connor,	Snider,
Barrett,	Cole,	O'Neill,	Stank,
Bentzel,	Evans,	Petrosky,	Swone,

Boies,	Kirley,	Polaski,	Verona,
Brown,	Lovett,	Powers,	Weiss,
Bucchin,	Mihm,	Readinger,	Wheeler,
Capano,	Mills,	Reese, R. E.,	Yetzer,
Chervenak,	Mooney,	Scanlon,	

NOT VOTING—2

Clevenger,	Trout,
------------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1276, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers sailors marines female field clerks yeomen (female) and nurses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of forty thousand dollars (\$40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred forty-seven for paying gratuities for the children between the ages of sixteen and twenty-one years of soldiers sailors marines female field clerks yeomen (female) or members of the enlisted nurse corps of the United States who die or have died of Spanish-American War or World War service connected disabilities as certified from veteran administration records. Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed.

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission (1) as coming within the class described in section one of this act and (2) as attending any State or State-aided educational or training institution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses' school or institution providing courses in beauty culture art radio or undertaking or embalming or such other educational training within this Commonwealth as approved by the State Veterans' Commission and (3) as being unable without such gratuity to pursue his or her education or training. Payments not to exceed the sum of two hundred dollars (\$200) per school year per child shall be made to such institutions upon the submission by them of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the school year. Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act.

Where a child within the class described is completing an educational or training course and arrives at the age of twenty-one years before completing the course the gratuity may be paid until the course is completed. Provided however That gratuities may not be paid for any child for a longer period than four scholastic years.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. F.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger,	Trout,
------------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1277, as follows:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred sixty-five thousand dollars (\$165,000) or as much thereof as may be necessary is hereby specifically appropriated to the Women's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania for the support and promotion of medical education for the two fiscal years beginning June first one thousand nine hundred forty-seven payment to be made according to law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1278, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for Medical education

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of six hundred sixty-three thousand eight hundred dollars (\$663,800) or as much thereof as may be necessary is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred forty-seven for the support and promotion of medical education

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudensfield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1287, as follows:

An Act to provide for the change of object of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations

Whereas In and by the establishment of paid fire departments voluntary fire companies are superseded and as such their services as firemen dispensed with and consequently firemen's relief associations operated in connection with volunteer fire departments are no longer necessary for the relief and protection of said firemen

And whereas Many fire-companies and firemen's relief associations in the Commonwealth have been incorporated either by the Legislature or by the courts under authority given by law

And whereas Some of the fire-companies and relief associations when such paid fire department is established may be desirous of continuing and maintaining their existence as corporations but for a different purpose than the object specified in their charter or act of incorporation whilst others are desirous of disbanding or dissolving and surrendering the powers vested in them by their charters or acts of incorporation and dividing amongst such of their members as may be entitled thereto whatever property or effects they may be seized possessed of or enjoy or the proceeds thereof

And whereas Doubts have arisen whether under any law usage or practice now in force or prevailing in this Commonwealth it is competent for any of the incorporated companies or relief associations to disband or dissolve and divide amongst their members the property effects or proceeds thereof belonging to such corporation or to change the object for which they have been incorporated for the purpose thereof of providing a mode whereby any of the said companies or relief associations may change the object for which they were or have been organized and incorporated or to disband dissolve and surrender the powers and authorities vested in them by virtue of their charter or acts of incorporation by whomsoever granted or allowed therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any incorporated fire-company (including therein engine hose or hook-and-ladder companies by whatever name called) or any firemen's relief association upon the establishment of a paid fire department by the municipality the domicile of said incorporated fire company or relief association that may be desirous of continuing or maintaining their corporate existence for literary charitable benevolent purpose whatever or as a hall association or society for the mutual benefit of its members may by a vote of the majority of its members present (who by the laws of the particular company or association are or may be entitled to vote) at a stated meeting after at least one month's notice has been given declare the purpose and object for which they desire to continue as aforesaid Such company or association shall within three months thereafter present their petition to the court of common pleas of said municipality and county praying that the purpose or object for which they may desire to continue their corporate existence as aforesaid may be approved by said court whereupon said petition shall be filed and if the object or purpose therein expressed and stated shall appear to the judges of the said court to be lawful and not injurious to the community and if no sufficient objection thereto be shown by any person or persons interested therein the said court shall on the first day of the next succeeding term not less than four weeks after the filing of the said petition enter their decree approving of the object or purpose for which such corporation shall hereafter continue a certified copy of which decree shall be recorded in the office of the recorder of deeds of said county and thereupon such object or purpose shall supersede the object or purpose named or expressed in the charter or act of incorporation of said company or association and shall be as valid and binding as if the same

had been the original object or purpose for which such company or association had been incorporated And such company or association may also issue shares of stock not exceeding in amount the value of their property and effects and distribute the same to and amongst the members thereof entitled thereto said shares to be assignable and transferable in the usual manner the holder or holders of any share or shares to be entitled to one vote for each and every share held by him or her or such company or association may also by and with the assent and approval of the said court change the name of such corporation and provide for its management by such officers and board of directors or managers not exceeding seven in number exclusive of president and treasurer as to them may seem just and expedient

Section 2 If any of the companies or relief associations named in section one of this act shall be desirous of disbanding dissolving and surrendering their corporate existence it shall and may be lawful for them so to do and the property and effects or the proceeds thereof may be distributed and divided to and among the members entitled thereto excepting however such property effects or equipment which have been granted conveyed donated or given to the said companies by the municipalities in which said companies are located said property effects or equipment shall revert back to and remain the property of said municipality under the following conditions to wit

First Such company or association shall give at least six months' notice of their intention to dissolve and surrender their corporate existence by advertisement in at least one daily newspaper published in said county to be designated by the court of common pleas upon application by the proper company or association said advertisement to be published at least once a week for four weeks or continuously for one week

Second Such company or association shall through its secretary or by a committee appointed for that purpose make a roll of all such members who are entitled to participate in the distribution of its property or the proceeds thereof who may apply to him or to them personally or otherwise said roll shall be kept open during the whole of the said aforesaid six months and it shall be the duty of such secretary or committee to enter upon such roll the name or names of any and all members who may apply as aforesaid who are known to him or them or if unknown who shall produce satisfactory evidence that he or they is or are entitled to have his or their name or names placed on said roll and said roll shall at the expiration of said six months be verified by the oath or affirmation of said secretary or committee

Third Such company or association shall immediately after the expiration of said six months appoint a committee of not less than three members which committee in conjunction with the president and treasurer of said company or association shall make out and sign a schedule of the description amount and value of all the property and effects of such company or association the names of all persons who are included within the provisions of clause second of this section and the description amount and value of the property effects or moneys allotted to each of such persons respectively and which shall be as nearly equal as may be and which schedule shall be verified by oath or affirmation of a majority of such committee one of whom shall be the president or treasurer and said schedule shall be submitted at a stated meeting of said company or association and if approved by a vote of the majority of such members present as are included in the second clause hereof shall be final and conclusive

Fourth As soon as all steps and proceedings provided for in this section shall have been completed a certified copy thereof shall be made out attested by the signatures of the officers of such company or association and by the seal of the corporation and shall be duly acknowledged as in the case of a deed made by a corporation and recorded in the office for recording deeds et cetera for said municipality and county and thereafter such corporation shall be dissolved and cease to exist and all the powers

and authorities thereto belonging shall become and be null and void and of no effect except such as are necessary to carry this act into effect The distribution of the property and effects of such company or association shall be made as soon after the approval of the schedule mentioned in clause third as may be convenient Provided That nothing herein contained shall be construed as to prevent any person who may deem himself aggrieved by the action of any company or association in his case applying to the proper court for redress by bill in equity or upon or for a mandamus upon his giving such security as the court may determine to pay all damages that may be incurred and all costs that may accrue if the decree of the court upon final hearing shall be against him and a part of such costs shall be a reasonable counsel fee to be allowed by the court in the particular case and fixed by the decree

Section 3 In the event any of the companies or relief associations included within the provision of this act change by virtue of the provision hereof into stock companies the shares into which the capital stock of such corporation may be divided shall be issued to such of the members of said company or association as were required to perform active services as a condition of membership or who may have been transferred from the active roll to the roll of honorary members as a reward or token of recognition for previous active services and to those only who may have signed the constitution or by-laws of such company or association and in case of a total dissolution of such company under the provision of the second section of this act those members only who are designated in this section shall be entitled to a distributed share of the proceeds of the property of such company or association

Section 4 If in any case any number of the active and honorary members either or both of any company or relief association not less than ten in number may desire to perpetuate the corporate existence of any company or association either for social purposes or for any of the purposes mentioned in the first section of this act and a majority of such company or association may desire to dissolve as aforesaid it shall and may be lawful for such members by signing and presenting to such company or association an agreement in writing to perpetuate the existence of such corporation to take unto themselves the liabilities and responsibilities imposed and to enjoy the privileges granted in and by the charter of such company or association and in such case the proceedings directed in and by the second section of this act shall be pursued except as to the division of their property and the recording of the proceedings in lieu of which after the amount of dividend shall have been ascertained and approved as aforesaid the receipt of such dividend by any member shall be construed to be a resignation and shall be so entered upon the books of such company or association and the members so receiving a dividend shall thence forth cease to be a member of such company or association Provided That it shall and may be lawful for any company or association to purchase the right of any member and upon the payment of the agreed price the membership of such person shall thereupon terminate

Section 5 The sales by any company or relief association included in section one of this act hereafter made shall be deemed and taken to have been made pursuant to the provisions of this act and are hereby declared to be valid and to vest the title to such property in the purchasers of such property

Section 6 It shall and may be lawful for any of the companies or relief associations mentioned in section one of this act to accept the provisions of this act as a supplement to the charter or act of incorporation of such company or association by the vote of a majority of the meeting of such company or association and if so accepted the members entitled to vote who may be present at any stated the provisions hereof shall be deemed and taken to be a part of the charter or act of incorporation of such accepting company or association except where a particular number have a right to continue Provided That nothing contained in this act shall be held to affect the right of any

member or companies or associations as the same have been heretofore adjudicated by any court and the same are hereby confirmed Provided That this act shall not repeal or affect the provisions of any special law relating to the same subject in any county township borough or city in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson.	Gallagher.	McCosker.	Sax.
Andrews.	Getchey.	McCullough	Scanlon.
Bane.	Gibson.	McDonald.	Schuster.
Barrett.	Goff.	McKinney.	Scott.
Baumunk.	Goodling.	McMillen.	Serrill.
Beech.	Gorman.	Mihm.	Shoemaker.
Bender.	Graybill.	Mikula.	Simons.
Bentzel.	Greenwood.	Miller.	Smith, C. C.
Bloom.	Greer.	Mills.	Smith, C. M.
Boies.	Griffiths.	Mintess.	Snider.
Bonawitz.	Guthrie.	Mohr.	Sollenberger.
Boorse.	Gyger.	Mooney.	Sorg.
Bower.	Hall.	Moore, C. E.	Sproul.
Breich.	Haller.	Moore, H. A.	Stank.
Brice.	Haudenschild.	Morrison.	Stimmel.
Brown.	Helm.	Murray.	Stockham.
Brunner.	Henry.	Myers.	Stonier.
Bucchin.	Hewitt.	Najaka.	Stuart.
Cadwalader.	Hocker.	Naumann.	Swope.
Capano.	Hoffman.	Needham.	Tahl.
Cassidy.	Hoopes.	Neff.	Thomassy.
Chervanek.	Horan.	Nelson.	Thompson.
Chudoff.	Imbt.	O'Connor.	Tittle.
Cochran.	Jennings.	O'Dare.	Tompkins.
Cole.	Johnson.	O'Donnell.	Toomey.
Cook.	Johnston.	O'Neill.	Turner.
Cooper.	Jones.	Orban.	Upshur.
Cordier.	Jump.	Patten.	Vaughan.
Costa.	Kean.	Petrosky.	Verona.
Crowley.	Kelley.	Pichney.	Wachhaus.
Dague.	Kemp.	Pickens.	Wagner.
Dalrymple.	Kent.	Polaski.	Waldron.
Davison.	Kirley.	Powers.	Wallin.
De Long.	Kline.	Price.	Walton.
Demech.	Kohl.	Propert.	Waterhouse.
Dennison.	Kratz.	Ragot.	Watkins.
Deputy.	Krise.	Readinger.	Watson.
Dix.	Kurtz.	Reagan.	Weidner.
Dye.	Laughner.	Reese, D. P.	Weiss.
Efenberg.	Layer.	Reese, R. E.	Wescott.
Elder.	Lee.	Relly, J. M.	West.
Erb.	Lelsey.	Relly, W. J.	Wheeler.
Evans.	Livingston.	Richter.	Wolf.
Ewing.	Livingstone.	Riley.	Wood.
Feola.	Loftus.	Robbins.	Worley.
Fish.	Lovett.	Robertson.	Yeakel.
Fiss.	Lyons.	Root.	Yester.
Flack.	Madden.	Rose.	Yetzer.
Fleming.	Madigan.	Rowen.	Young.
Foor.	Mazza.	Royer.	Lichtenwalter.
Frost.	McCormack.	Sarra.	Speaker.

NAYS—0

NOT VOTING—2

Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1336, as follows:

An Act making an appropriation to the Berean Manual Training School at Philadelphia Pennsylvania for the purpose of the maintenance of said school

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of thirty-five thousand dollars (\$35,000) or as much thereof as may be necessary is hereby appropriated to the Berean Manual Training School at Philadelphia Pennsylvania for the two fiscal years beginning the first day of une one thousand nine hundred forty-seven for the purpose of the maintenance of said school

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

- | | | | |
|-------------|---------------|----------------|----------------|
| Aaronson | Gallagher, | McCosker, | Sax, |
| Andrews. | Getchey, | McCullough, | Scanlon, |
| Bane, | Gibson, | McDonald, | Schuster, |
| Barrett, | Goff, | McKinney, | Scott, |
| Baumunk, | Goodling, | McMillen, | Serrill, |
| Beech, | Gorman, | Mihm, | Shoemaker, |
| Bender, | Graybill, | Mikula, | Simons, |
| Bentzel, | Greenwood, | Miller, | Smith, C. C., |
| Bloom, | Greer, | Mills, | Smith, C. M., |
| Boies, | Griffiths, | Mintess, | Snider, |
| Bonawitz, | Guthrie, | Mohr, | Sollenberger, |
| Boorse, | Gyger, | Mooney, | Sorg, |
| Bower, | Hall, | Moore, C. E., | Sproul, |
| Breisch, | Haller, | Moore, H. A., | Stank, |
| Brice, | Haudenschild, | Morrison, | Stimmel, |
| Brown, | Helm, | Murray, | Stockham, |
| Brunner, | Henry, | Myers, | Stonier, |
| Bucchin, | Hewitt, | Najaka, | Stuart, |
| Cadwalader, | Hocker, | Naumann, | Swope, |
| Capano, | Hoffman, | Needham, | Tahl, |
| Cassidy, | Hoopes, | Neff, | Thomassy, |
| Chervenak, | Horan, | Nelson, | Thompson, |
| Chudoff, | Imbt, | O'Connor, | Tittle, |
| Cochran, | Jennings, | O'Dare, | Tompkins, |
| Cole, | Johnson, | O'Donnell, | Toomey, |
| Cook, | Johnston, | O'Neill, | Turner, |
| Cooper, | Jones, | Orban, | Upshur, |
| Cordier, | Jump, | Patten, | Vaughan, |
| Costa, | Kean, | Petrosky, | Verona, |
| Crowley, | Kelley, | Pichney, | Wachhaus, |
| Dague, | Kemp, | Pickens, | Wagner, |
| Dalrymple, | Kent, | Polaski, | Waldron, |
| Davison, | Kirley, | Powers, | Wallin, |
| De Long, | Kilne, | Price, | Walton, |
| Demch, | Kohl, | Propert, | Waterhouse, |
| Dennison, | Kratz, | Ragot, | Watkins, |
| Depuy, | Krise, | Readinger, | Watson, |
| Dix, | Kurtz, | Reagan, | Weidner, |
| Dye, | Laughner, | Reese, D. P., | Weiss, |
| Efenberg, | Layer, | Reese, R. E., | Wescott, |
| Elder, | Lee, | Reilly, J. M., | West, |
| Erb, | Leisey, | Reilly, W. J., | Wheeler, |
| Evans, | Livingston, | Richter, | Wolf, |
| Ewing, | Livingstone, | Riley, | Wood, |
| Feola, | Loftus, | Robbln, | Worley, |
| Fish, | Lovett, | Robertson, | Yeakel, |
| Fiss, | Lyons, | Root, | Yester, |
| Flack, | Madden, | Rose, | Yetzer, |
| Fleming, | Madigan, | Rowen, | Young, |
| Foor, | Mazza, | Royer, | Lichtenwalter, |
| Frost, | McCormack, | Sarrafi, | Speaker |

NAYS—0.

NOT VOTING—2.

- Clevenger. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of Senate Bill No. 218, as follows:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 526) is hereby further amended to read as follows

Section 976 Examination of Nomination Petitions Certificates and Papers Return of Rejected Nomination Petitions Certificates and Papers When any nomination petition nomination certificate or nomination paper is presented in the office of the Secretary of the Commonwealth or of any county board of elections for filing within the period limited by this act it shall be the duty of the said officer or board to examine the same No nomination petition nomination paper or nomination certificate shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or (b) it contains material alterations made after signing without the consent of the signers or (c) it does not contain a sufficient number of genuine signatures as required by law or (d) in the case of nomination petitions if nomination petitions have been filed for printing the name of the same person for the same office except the office of judge of a court of record upon the official ballot of more than one political party or (e) in the case of nomination papers if the candidate named therein has filed a nomination petition for the same office for the ensuing primary or has been nominated for the same office by nomination papers previous, or filed or (f) if the nomination petitions or papers are not accompanied by the filing fee or certified check required for said office or (g) in the case of nomination papers the appellation set forth therein is identical with a deceptively similar to the words used by any existing party or by any political body which has already filed nomination papers for the same office or if the appellation set forth therein contains part of the name or an abbreviation of the name or part of the name of an existing political party or of a political body which has already filed nomination papers for the same office The invalidity of any sheet of a nomination petition or nomination paper shall not affect the validity of such petition or paper if a sufficient petition or paper remains after eliminating such invalid sheet The action of said officer or board in refusing to receive and

file any such nomination petition certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when it was presented to the office of such officer or board. Provided however That said officer or board shall be entitled to a reasonable time in which to examine any petitions certificates or papers and to summon and interrogate the candidates named therein or the persons presenting said petitions certificates or papers and his or their retention of same for the purpose of making such examination or interrogation shall not be construed as an acceptance or filing

Section 2. The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, from the standpoint of the minority we consider this bill a majority iniquity, a political iniquity that would only be committed by a majority, so we want to be recorded as voting "no" on this particular bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166.

Aaronson,	Goodling,	Madigan,	Sax,
Baumunk,	Gorman,	Mazza,	Scott,
Beech,	Graybill,	McCormack,	Serrill,
Bender,	Greenwood,	McCosker,	Shoemaker,
Bloom,	Greer,	McCullough,	Simons,
Bonawitz,	Griffiths,	McDonald,	Smith, J. C.,
Boorse,	Guthrie,	McKinney,	Smith, C. M.,
Bower,	Gyger,	McMillen,	Sollenberger,
Breisch,	Hall,	Mikula,	Sorg,
Brice,	Haller,	Miller,	Sproul,
Brunner,	Haudenschild,	Mintess,	Stimmel,
Cadwalader,	Helm,	Mohr,	Stockham,
Cassidy,	Henry,	Moore, C. E.,	Stonifer,
Cook,	Hewitt,	Moore, H. A.,	Stuart,
Cooper,	Hocker,	Morrison,	Tahl,
Cordier,	Hoffman,	Murray,	Thomassy,
Costa,	Hoopes,	Myers,	Thompson,
Crowley,	Horan,	Najaka,	Tittle,
Dague,	Imbt,	Naumann,	Tompkins,
Dalrymple,	Jennings,	Neff,	Toomey,
Davison,	Johnson,	Nelson,	Turner,
De Long,	Johnston,	O'Dare,	Upshur,
Demech,	Jones,	O'Donnell,	Vaughan,
Dennison,	Jump,	Orban,	Wachhaus,
Depuy,	Kean,	Patten,	Wagner,
Dix,	Kelley,	Pichney,	Waldron,
Dye,	Kemp,	Pickens,	Wallin,
Efenberg,	Kent,	Price,	Walton,
Elder,	Kline,	Propert,	Waterhouse,
Erb,	Kohl,	Ragot,	Watkins,
Ewing,	Krise,	Reagan,	Watson,
Feola,	Kurtz,	Reese, D. P.,	Weidner,
Fish,	Leughner,	Reilly, J. M.,	Wescott,
Fliss,	Layer,	Reilly, W. J.,	West,
Flack,	Lee,	Richter,	Wolf,
Fleming,	Leisey,	Riley,	Wood,
Foor,	Livingston,	Robbins,	Worley,
Frost,	Livingstone,	Robertson,	Yeakel,
Gallagher,	Loftus,	Root,	Young,
Getchey,	Lyons,	Rose,	Lichtenwalter,
Gibson,	Kratz,	Rowen,	Speaker.
Goff,	Madden,	Royer,	

NAYS—37.

Andrews,	Cochran,	O'Connor,	Schuster,
Bane,	Cole,	O'Neill,	Snider,
Barrett,	Evans,	Petrosky,	Stank,

Bentzel,
Boles,
Brown,
Bucchin,
Capano,
Chervanak,
Chudoff,

Kirley,
Lovett,
Mihm,
Mills,
Mooney,
Needham,

Polaski,
Powers,
Readinger,
Reese, R. E.,
Sarraf,
Scanlon,

Swope,
Verona,
Weiss,
Wheeler,
Yester,
Yetzer,

NOT VOTING—2.

Clevenger.

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 219, as follows:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district subject to the control of the respective political committee of which they are members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article eight of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding thereto after section eight hundred eleven a new section to read as follows

Section 812 District Committees Whenever two or more members of a political party shall be elected or appointed as the rules of the party may provide as members of a political committee to represent the members of such party in the respective election districts such members shall constitute a political committee of said political party to function within such election district Provided that when acting in the capacity of a political committee such duly elected or appointed members shall be subject to the control direction and supervision of the political committee of which they are members

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ANDREWS. Mr. Speaker, from the standpoint of

my own personal opinion this is another majority iniquity. I don't know whether the entire minority agrees with me on that point or not.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166.

Aaronson,	Goodling,	Madigan,	Sax,
Baumunk,	Gorman,	Mazza,	Scott,
Beech,	Graybill,	McCormack,	Serrill,
Bender,	Greenwood,	McCosker,	Shoemaker.
Bloom,	Greer,	McCullough,	Simons,
Bonawitz,	Griffiths,	McDonald,	Smith, C. C.,
Boorse,	Guthrie,	McKinney,	Smith, C. M.,
Bower,	Gyger,	McMillen,	Sollenberger,
Breisch,	Hall,	Mikula,	Sorg,
Brice,	Haller,	Miller,	Sproul,
Brunner,	Haudenschild,	Mintess,	Stimmel,
Cadwalader,	Helm,	Mohr,	Stockham,
Cassidy,	Henry,	Moore, C. E.,	Stonier,
Cook,	Hewitt,	Moore, H. A.,	Swope,
Cooper,	Hocker,	Morrison,	Tahl,
Cordier,	Hoffman,	Murray,	Thomassy,
Costa,	Hoopes,	Myers,	Thompson,
Crowley,	Horan,	Najaka,	Tittle,
Dague,	Imbt,	Naumann,	Tompkins,
Dalrymple,	Jennings,	Neff,	Toomey,
Davison,	Johnson,	Nelson,	Turner,
De Long,	Johnston,	O'Dare,	Upshur,
Demech,	Jones,	O'Donnell,	Vaughan,
Dennison,	Jump,	Orban,	Wachhaus,
Depuy,	Kean,	Patten,	Wagner,
Dix,	Kelley,	Pichney,	Waldron,
Dye,	Kemp,	Pickens,	Wallin,
Eisenberg,	Kent,	Price,	Walton,
Elder,	Kline,	Probert,	Waterhouse,
Erb,	Kohl,	Ragot,	Watkins,
Ewing,	Krise,	Reagan,	Watson,
Feola,	Kurtz,	Reese, D. P.,	Weldner,
Fish,	Laughner,	Relly, J. M.,	Wescott,
Fiss,	Layer,	Relly, W. J.,	West,
Flack,	Lee,	Richter,	Wolf,
Fleming,	Leisey,	Riley,	Wood,
Foor,	Livingston,	Robbins,	Worley,
Frost,	Livingstone,	Robertson,	Yeakel,
Gallagher,	Loftus,	Root,	Young,
Getchey,	Lyons,	Rose,	Lichtenwalter,
Gibson,	Kratz,	Rowen,	Speaker.
Goff,	Madden,	Royer,	

NAYS—37.

Andrews,	Cochran,	O'Connor,	Schuster,
Bane,	Cole,	O'Neill,	Snider,
Barrett,	Evans,	Petrosky,	Stank,
Bentzel,	Kirley,	Polaski,	Stuart,
Boies,	Lovett,	Powers,	Verona,
Brown,	Mihm,	Readinger,	Weiss,
Bucchin,	Mills,	Reese, R. E.,	Wheeler,
Capano,	Mooney,	Sarraf,	Yester,
Chervenak,	Needham,	Scanlon,	Yetzer,
Chudoff,			

NOT VOTING—2.

Clevenger,	Trout,
------------	--------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 284, as follows:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by imposing an additional penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty-five of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers Departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" is hereby amended by adding at the end thereof a new subsection to read as follows

Section 45 Crimes and Penalties

* * * * *

(p) Any person who shall falsely represent himself to be and falsely assume to act as a registrar agent or employee of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars (\$200) or to undergo an imprisonment of not more than six months or both in the discretion of the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,

Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelschi,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Nauman,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Nelson,	Thomassy,
Chervenak,	Horan,	O'Connor,	Tompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Cochran,	Jennings,	O'Donnell,	Tompkins,
Cole,	Johnson,	O'Neill,	Turney,
Cook,	Johnston,	Orban,	Turner,
Cooper,	Jones,	Patten,	Upshur,
Cordier,	Jump,	Petrosky,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Westcott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Lelsey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarra,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 310, as follows:

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring power and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain

school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 4 Bonds of Tax Collectors (a) In cities of the third class and in townships of the first class the treasurer as tax collector for the various taxing districts shall give bond secured and conditioned as provided by the laws relating to such cities and townships

(b) In boroughs towns, and townships of the second class the elected tax collector shall be the collector of borough town or township taxes as the case may be and of county and institution school and vocational school district taxes He shall before he enters upon the duties of his office take and subscribe and oath of office and file the same in the office of the clerk of the court of quarter sessions of the county He shall enter into one surety bond to the Commonwealth for all taxes to be collected by him in an amount to be fixed by the court of quarter sessions of the county which amount shall never exceed the estimated amount of taxes charged in the duplicates to be delivered to him in one year Such bond may at the option of the tax collector be an annual bond or may cover the full term of office for which the tax collector shall have been elected Such bond shall have thereon at least two sufficient sureties or one bonding company and the sufficiency of the sureties on the bond shall be approved by the court of quarter sessions at any time prior to the delivery of a tax duplicate to the tax collector The bond shall be filed in the office of the clerk of the court of quarter sessions on or before the fifteenth day of March of the year in which the tax collector qualifies for office and annually thereafter except where the first bond given by the tax collector covers the full term of office for which he was elected Should any of the taxing districts be of the opinion at any time that the bond given by the tax collector is not sufficient in amount or as to the surety thereon the said taxing district may apply to the court by petition to have the tax collector furnish additional bond in the manner provided by this section Thereupon the tax collector shall furnish such additional bond if any as the court of quarter sessions may prescribe but not exceeding the limitation as to amount hereinbefore prescribed After the thirty-first day of December one thousand nine hundred forty-nine where the surety on a tax collector's bond is a bonding company the premium on the bond shall be paid by the respective taxing districts Each taxing district shall be liable to pay that percentage of the bond premium as the total taxes charged in the duplicate of the taxing district bears to the total taxes charged in the duplicate of all of the taxing districts In any case where a tax collector is required to furnish additional bond the premium on such additional bond shall be paid by the taxing district which petitioned the court for the additional bond prior to the first day of January one thousand nine hundred fifty where the surety on a tax collector's bond is a bonding company any taxing district may pay its percentage of the bond premium as above provided

(c) In boroughs towns and townships of the second class the condition of the bond shall be that the collector as tax collector for the borough town or township as the case may be and for the county and the institution school and vocational school district shall account for any pay over all taxes penalties and interest received and collected by him to the taxing districts entitled thereto

(d) The tax collector of boroughs towns and townships of the second class and his sureties shall be discharged from further liability on his bond for the taxes charged in a duplicate delivered to him as soon as all tax items contained in the said duplicate are either (1) collected and paid over to the proper taxing district or (2) certified to the taxing authority for entry as liens in the office of the prothonotary or (3) returned to the county commissioners for sale of the real estate by the county treasurer or (4) in the case of occupation poll and per capita and personal property taxes accounted for by the

payment over or by exoneration which shall be granted by the taxing district upon oath or affirmation by the tax collector that he has complied with section twenty of this act

(e) The bond given by a borough town or township tax collector shall be for the use of the borough town or township as the case may be and for the county and the institution school and vocational school district

(f) In case where a tax collector shall be appointed in a borough town or township of the second class to fill a vacancy in said office or where the elected tax collector shall have failed to qualify or to furnish bond or where a tax collector shall have failed to settle a duplicate as provided in section thirty-one of this act the person appointed in accordance with existing laws including an individual corporation or the county treasurer to collect such taxes shall give bond secured and conditioned as above provided where a township of the second class or a school district shall in such cases exercise its power to appoint a separate tax collector to collect its taxes such appointee shall give bond secured and conditioned as above provided

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoope,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Proper,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Leisey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 314, as follows:

An Act to further amend section seven of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled as amended "An Act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" permitting the Department of Forests and Waters to use dams lakes reservoirs and adjoining lands acquired for flood control purposes as recreational areas and providing for the installation of flood forecasting and warning systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 106) entitled as amended "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships and the Department of Highways" as reenacted and amended by the act approved the tenth day of March one thousand nine hundred thirty-seven (P. L. 43) is hereby further amended to read as follows

Section 7 General Powers of Board Payment of Taxes by Commonwealth (a) In order to carry into effect the official plans for any flood control district the board shall have power to clean out widen alter deepen or change the course current or channel of any river or stream to install a flood forecasting and warning system to fill up any abandoned canal or water course to construct and maintain levees dikes walls revetments dams lakes reservoirs and other works and improvements deemed necessary to prevent floods and to control preserve and regulate the flow of rivers and streams to construct or enlarge bridges and viaducts to construct relocate and elevate public highways to construct any of

said works and improvements across through or over any public highway canal railroad right of way or track to remove or change the location of any fence building railroad canal or other improvement to acquire by donation lease purchase or condemnation and own or hold in the name of the Commonwealth real and personal property and easements and the public works erected and constructed under the authority of this act

(b) Whenever in the exercise of its general powers the board shall construct dams lakes and reservoirs which can be otherwise utilized the board may on approval by the Governor permit the Department of Forests and Waters to occupy and use said dams lakes and reservoirs and any adjoining land acquired for flood control purposes as recreational areas Any such use shall be subordinate to the primary purposes of flood control for which said lands were acquired and the waters impounded thereon

(c) Whenever any lands or other property is acquired by the board to be used for reservoir purposes the board for the assessment and revision of taxes or the county commissioners of the county wherein the same is located shall immediately after such acquisition certify to the Auditor General the assessed valuation of such lands and other property at the time of such acquisition After such acquisition the taxing authority of each political subdivision within which such lands or other property is located shall from year to year at the time of their annual levy of taxes certify to the Auditor General the rate of their respective levies for the next year Thereupon the Auditor General shall ascertain the amount of taxes which would have been collected upon the assessed valuation certified as hereinbefore provided at the respective rates of the levies so certified Upon the ascertainment of such amounts the same shall be paid by the Commonwealth to the several political subdivisions from time to time from the General Fund

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Andrews,	Gallagher,	McCosker,
Aaronson,	Getchey,	McCullough,
Bane,	Gibson,	McDonald,
Barrett,	Goff,	McKinney,
Baumunk,	Goodling,	McMillen,
Beech,	Gorman,	Mihm,
Bender,	Graybill,	Mikula,
Bentzel,	Greenwood,	Miller,
Bloom,	Greer,	Mills,
Boles,	Griffiths,	Mintess,
Bonawitz,	Guthrie,	Mohr,
Boorse,	Gyger,	Mooney,
Bower,	Hall,	Moore, C. E.,
Brelsch,	Haller,	Moore, H. A.,
Brice,	Haudensfield,	Morrison,
Brown,	Helm,	Murray,
Brunner,	Henry,	Myers,
Bucchin,	Hewitt,	Najaka,
Cadwalader,	Hocker,	Naumann,
Capano,	Hoffman,	Needham,
Cassidy,	Hoopes,	Neff,
Chervenak,	Horan,	Nelson,
Chudoff,	Imbt,	O'Connor,
Cochran,	Jennings,	O'Dare,
Cole,	Johnson,	O'Donnell,
Cook,	Johnston,	O'Neill,
Cooper,	Jones,	Orban,
Cordier,	Jump,	Patten,
Costa,	Kean,	Petrosky,
Crowley,	Kelley,	Pichney,
Dague,	Kemp,	Pickens,
Dalrymple,	Kent,	Polaski,
Davison,	Kirley,	Powers,
De Long,	Kline,	Price,

Demech,	Kohl,	Proper,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frout,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 316, as follows:

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Forests and Waters is hereby authorized to dredge and remove flood waste deposits flood water obstructions gravel bars and debris from any river or stream or part thereof to restore or rectify flood damaged or destroyed stream channels wholly or partly within or forming part of the boundary of this Commonwealth except the tidal waters of the Delaware River and of its navigable tributaries to construct and maintain dams lakes and other works and improvements as in the judgment of the department may be necessary to impound flood waters and conserve the water supply of the Commonwealth and to provide additional recreational areas and to construct and maintain flood forecasting and warning systems

Section 2 The Department of Forests and Waters is hereby authorized to make such appropriate surveys and prepare such suitable plans as are necessary for the execution of the above stated work

Section 3 The Department of Forests and Waters in the performance of the work authorized under the provisions of this act may with the approval of the Governor enter into contracts or agreements with any person corporation or municipality covering the lease or purchase of power shovels bulldozers and other necessary equipment for stream clearance and stream channel rectifications as well as covering the construction repair and maintenance of dams reservoirs lakes the purchase and installation of flood forecasting and warning systems and other works and improvements required to carry out the purposes of this act

Section 4 The Department of Forests and Waters is

hereby authorized subject to the approval of the Governor to acquire by donation agreement lease purchase or condemnation and to own or hold in the name of the Commonwealth real and personal property rights lands easements and rights-of-way necessary for the execution of the work authorized by this act

Section 5 The department shall have power to acquire any lands easements rights-of-way franchises and other property deemed necessary for the construction of any of its public works or improvements provided for in this act by condemnation proceedings and shall have power to enter upon take possession of and occupy such property deemed necessary for such purposes The proceedings for the condemnation of property and for the assessment of damages shall be in accordance with the provisions of the act approved the fifteenth day of July one thousand nine hundred nineteen (P. L. 976) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" its amendments and supplements except that the department shall have the right to immediate possession of the property upon paying into the court of common pleas of the county wherein the property is situated upon the department's petition to such court for leave so to do the value of the property as determined by the department's appraisers Provided however That any property owner who believes the amount tendered insufficient to fully compensate him may accept the same under protest and without prejudice to his right to apply for the appointment of a board of view to assess the damages claimed Upon application for the appointment of a board of view the court of the proper county or any law judge thereof in vacation shall appoint three discreet and disinterested free-holders of the county as viewers If the owner lessee or occupier of any of such property shall refuse to remove therefrom or give up possession thereof the department may proceed to obtain possession in the manner now provided by law

Section 6 The Department of Forests and Waters is hereby authorized to consult cooperate negotiate and with the approval of the Governor enter into contracts and other agreements with the Federal Government any political subdivisions municipality authority corporation association person or persons for cooperation and assistance in planning constructing financing maintaining and operating any works or facilities needed to carry out the purposes of this act Provided That all work of any character whatsoever performed under the authority of this act except as undertaken by its own forces or other agencies of the Commonwealth or of the Federal Government shall be performed under written contract let by the Department of Forests and Waters to the lowest responsible bidder after due advertising as provided by law and in accordance with plans and specifications prepared by the department

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,

Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buchin,	Hewitt,	N'jaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	N'fi,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarrafi,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 505, as follows:

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain

liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowance

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" as amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) is hereby further amended to read as follows

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meaning

"Board" the Municipal Employees' Retirement Board

"Municipality" a city borough town township county and institution district

"Municipal Employee" a person holding an office or position under a municipality or an institution supported and maintained by it in any capacity whatever employed and paid on a yearly or monthly or per diem basis or employed and paid by the municipality with its funds or through any separate institution supported and maintained through trustees or otherwise by it The term shall not include officers and employees paid wholly on a fee basis

"Member" a municipal employee who has become a member of the Municipal Employees' Retirement System established by this act

"Original Member" a municipal employee who was a municipal employee at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employee who first becomes a municipal employee after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employee who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employee but has retired and is receiving a retirement allowance as provided in this act

"Prior Service" all service as a municipal employee completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act or the same municipality under a prior name or classification unless the municipality has elected to limit to ten years the period of such service.

"Prior Salary" the annual salary or compensation earned by a municipal employee and paid by the municipality during the year immediately preceding the date the municipality by which he is employed joined the retirement system established by this act In computing prior salary

if the amount thereof shall exceed four thousand dollars (\$4000) it shall for the purpose of this act be limited to four thousand dollars (\$4000)

"Superannuation Retirement Age [sixty] sixty-five years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employee and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars (\$4000) it shall for the purpose of this act be limited to four thousand dollars (\$4000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employee or from any existing pension or retirement system directly into the retirement fund and credited to the member's account together with regular interest thereon

"Regular Interest" interest at two and one-half per cent per annum compounded annually and in case of interest earnings in excess of two and one-half per cent shall mean the interest actually earned on investments in any year

"Municipal Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employee

"Retirement Allowance" the municipal annuity plus the member's annuity

"Fund" the Municipal Employees' Retirement Fund created by this act

Section 2 Sections eight and fourteen of said act are hereby amended to read as follows

Section 8 Procedure to Setup of Municipal Employees' Retirement System Municipalities Joining Thereafter Right to Withdraw Denied When [twenty-five or more] municipalities having an aggregate of at least two hundred and fifty eligible municipal employees have by ordinance or resolution elected to join the Municipal Employees' Retirement System the State Employees' Retirement Board shall so notify the Governor and the Municipal Employees' Retirement Board created by this act shall be forthwith constituted

The board shall fix a time when the Municipal Employees' Retirement System shall become effective and shall advise the joining municipalities of the manner and times in which the payments by the municipalities on their respective accounts and on account of member's payroll deductions shall be made and other details of the system shall be carried out It shall also work out all details in respect to the transfer of existing local retirement and pension funds in accordance with this act

The date so fixed for the retirement system to become effective shall be deemed the date when the municipalities have joined the system

After the system has been established any other municipality may at any time elect to join the system in the manner provided by this act and in such cases the board shall fix a time when the system shall become effective as to such municipality which shall be deemed the date when it joined the system

No municipality after it has joined the retirement system shall be permitted to withdraw therefrom and in case of failure to make payments as required by this act the board may recover any sums due to the fund by suit at law or other appropriate remedy

Section 14 Determination of Municipal Liability The actuary shall as soon as may be determine the present value of the liability of each municipality for the prior service credits to its original members and shall establish an amount payable annually over a period not exceeding [twenty-five] thirty years through which payments such prior service liability may be funded Each municipality shall have the option to spread the payment

of such prior service liability over such period of years or in lieu thereof to make payments on account of such liability annually in amounts sufficient to pay the prior service liability of the municipal annuity of each beneficiary payable during such year

The actuary shall also determine from time to time the amount which shall be contributed annually by each municipality for service credits of original and new members subsequent to the time the municipality joined the retirement system in order that all future service liability may be funded on an actuarial basis

The amounts so determined by the actuary may be expressed in a percentage of the payroll of the municipality covering its contributing members

The cost of making the valuations required by this section and in the transfer of any existing pension system of any municipality shall be paid by the municipalities as part of the costs of the administration of this act

Section 3 The third paragraph of section eighteen and clause (b) of section twenty of said act as amended by the act approved the nineteenth day of April one thousand nine hundred forty-five (P. L. 265) are hereby further amended to read as follows

Section 18 Contributions by Members Consolidation of Credits Change of Employment

* * * * *

If the rate of contribution so computed shall exceed [seven] five per centum of his earnable salary the member may request the board to be permitted to contribute at a lesser rate and if the board finds that there are reasons which justify such reduction then there shall be deducted [seven] five per centum of his earnable salary

Section 20 Retirement for Superannuation Retirement for superannuation shall be as follows

* * * * *

(b) On retirement for superannuation contributor shall be entitled to a retirement allowance throughout his life which shall consist of

(1) A member's annuity which shall be the actuarial equivalent of his accumulated deductions and

(2) A municipal annuity which shall be equal to (a) for current service one one-hundred-thirtieth of his final salary (not exceeding however in any event a final salary of four thousand dollars (\$4000) for each year of [total] service while a member and in addition thereto [in the case of an original member one one-hundred-thirtieth of such salary for each year of prior service if the municipality has paid or has obligated itself for the payment of the contributions of the member for his prior service]

(b) for prior service in the case of an original member one one-hundred-thirtieth of his prior service (not exceeding however in any event a final salary of four thousand dollars (\$4000) for each year of prior service of the municipality has paid or has obligated itself for the payment of contributions necessary to provide for such additional one one-hundred thirtieth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,

Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechlin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davidson,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Lager,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foot,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarrafi,	Speaker,

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 519, as follows:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and in certain other cases into the State Employee's Retirement Fund for certain purposes" providing for the purchase by the municipality of Pension Annuity Contracts for policemen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twelfth day of May one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the state treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the municipal employees' retirement system and in certain other cases into the State Employees'

Retirement Fund for certain purposes" is hereby amended to read as follows

An Act providing for the payment by the State Treasurer of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies to the treasurers of the several cities boroughs towns and townships and for the payment thereof into police pension funds and in certain cases into the Municipal Employees' Retirement System and for Pension Annuity Contracts and in certain other cases into the State Employees Retirement Fund for certain purposes

Section 2 This said act as amended is hereby further amended by adding after section one an additional section one and one-tenth as follows

Section 1.1 Every municipality which has a police force but which does not have a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund as provided in section one of this act shall be paid in the manner provided in this act the amount that would be allocated had the municipality made provision through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund all of which sum so allocated shall be expended by the municipal authorities to secure Pension Annuity Contracts for their policemen Warrents for this purpose shall be drawn by the Auditor General payable to the treasurers of the municipalities and the municipal authorities are hereby directed to use the allocations to forthwith secure Pension Annuity Contracts until such time as they shall have made provision therefor through a Municipal Employees' Retirement Fund a Police Pension or Retirement Fund

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Coehran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennisson,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,

Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0

NOT VOTING—2

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 637, as follows:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The governing body of any county county authority municipal authority city borough town or township may create a Mosquito Control District either alone or jointly with one or more such political subdivisions

Section 2 When any Mosquito Control District is created under the provisions of this act the agency for the administration of mosquito control work therein shall consist of a Mosquito Control Board of five members appointed by the governing body of the political subdivision concerned The first board members shall hold office for terms of one two three four or five years as specified in their certificate of appointment Annually thereafter the governing body of the political subdivisions shall appoint one members of such board to serve for a term of five years Where the district consists of territory in one or more political subdivisions the five members of the board shall be appointed by the governing body of the political subdivisions concerned by agreement in order to provide adequate representation to the several political subdivisions participating Vacancies in any district shall be filled by the authority originally filling the office The board members shall serve without salary but shall be reimbursed for expenses incurred on account of official business of the board No person employed by the board shall be a member thereof The board shall annually choose a chairman from among its members

Section 3 The Secretary of Health of the Commonwealth is hereby authorized and empowered to cooperate with and assist each district created under this act in the effective carrying out of its plans and work In so far as practicable he shall be a member ex-officio of each such board and may authorize a deputy to attend its meetings as his representative In so far as practicable he shall furnish such boards with such surveys maps information and advice as they may require for the prosecution of their work or as in his opinion will be of advantage in connection therewith The Pennsylvania State College and the Secretary of Agriculture are also authorized and empowered to cooperate with such boards

Section 4 (a) Any Mosquito Control District created

under the provisions of this act is empowered to employ such engineers entomologists inspectors laborers clerical assistants or others as it may deem necessary and to fix the salaries or wages and to prescribe the powers and duties of such employees and to make rules and regulations for carrying out the provisions of this act

(b) The Mosquito Control District shall have power to eliminate all breeding places of mosquitoes on public or private property within such district and to do and perform all acts including entry upon private or public property for inspection spraying or any abatement under the provisions of this act which in the opinion and judgment of the board may be necessary or proper for the elimination of breeding places of mosquitoes or which will tend to control mosquitoes within said district

(c) Any water in which mosquito larvae breed is hereby declared a public nuisance and subject to abatement as such Whenever any such breeding place exists on any lands in the district which breeding place should in the opinion of the Mosquito Control Board be abated the district may in writing order the owner or owners of such lands to abate the same within a reasonable period and in a manner to be specified in such order If at the expiration of such period such order has not been complied with or if the owner or owners of such lands cannot be ascertained or found the board may at once abate said nuisance and may assess all or part of the cost of such abatement against the lands on which such breeding places exists The board may file municipal liens for said assessments within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens

(d) It shall be a misdemeanor to damage or tamper with any works for mosquito abatement or other mosquito control work of the district

Section 5 The Mosquito Control District may carry on control work against flies ticks or other insects affecting public health or welfare subject to the approval of the governing bodies comprising the district Such control work in this field shall be such as not to conflict with any program of the Department of Agriculture in the same field

Section 6 Each Mosquito Control District shall on or before the first day of December in each year submit to the governing body or bodies of the political subdivisions comprising the district a detailed estimate of the money required for the ensuing calendar year and a plan of the work to be done and methods to be employed Such governing board or boards shall have power to approve modify or alter such estimates plans and methods but not to decrease the amount of money estimated to be required therein without giving to the district in writing their reason for such action Such governing board or boards shall have power and it shall be their duty to appropriate annually for the use of the district the amount of money so approved modified or altered by them

Section 7 It shall be the duty of each Mosquito Control District annually on or before the first day of February of each year to submit to the Secretary of Health and to the governing board or boards of the political subdivisions making up the district a report setting forth the amount of money expended during the previous calendar year the methods employed the work accomplished and any other information which in its judgment may be pertinent

Section 8 This act shall not be construed to affect or repeal the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" and the amendments thereto

Section 9 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simo,
Bentzel,	Greenwood,	Miller,	Smith, C. O.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Brelsch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Elsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Fiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 639, as follows:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations"

granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In addition to the rights and power already granted to telegraph and telephone corporations under the laws of this Commonwealth and without impairment or limitation of any of their present rights and powers every corporation heretofore organized or hereafter to be organized under and by virtue of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" and the acts amendatory thereof and supplemental thereto and engaged in the business of furnishing telephone and telegraph service or either of said services and every corporation heretofore organized or hereafter to be organized under and by virtue of an act approved the twenty-second day of July one thousand nine hundred nineteen (P. L. 1123) entitled "A supplement to an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four providing for the incorporation and regulation of telephone companies defining the rights powers and privileges of such corporations authorizing and regulating the purchase acquisition and leasing the whole or any part of the properties systems capital stock and securities of other corporations associations and persons engaged in the telephone business and authorizing existing telegraph corporation to accept the provisions of this act" and engaged in the business of furnishing telephone service shall have the following additional rights and powers To appropriate private real property outside the limits of public roads streets lanes alleys or highways and within this Commonwealth necessary for its corporate use in the construction erection operation or maintenance of its poles wires cables conduits and other fixtures and facilities for its lines for the operation of a telephone or telegraph business or both except that streams rivers or waters of this Commonwealth or any of them or the land covered thereby or other public property or property of a public utility or of a corporation organized under or subject to the "electric cooperative corporation act" or property used as a burying ground or place of worship or dwelling house or the reasonable curtilage not to be less than three hundred feet appurtenant thereto shall not be appropriated by virtue of the power conferred by this section Provided That before any such company shall exercise the power conferred by this section with respect to any intrastate lines the Pennsylvania Public Utility Commission upon application of such company shall have found and determined after public hearing that the service to be furnished by said company through the exercise of said power is necessary or proper for the service accommodation convenience or safety of the public All damages arising from any exercise of the power conferred by this section shall be ascertained recovered and paid as provided by the forty-first section of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) and the amendments and supplements thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson.	Gallagher,	McCosker.	Sax,
Andrews.	Getchey,	McDonald.	Scanlon.
Bane,	Gibson,	McCullough.	Schuster.
Barrett.	Goff,	McKinney.	Scott.
Baumunk.	Goodling.	McMillen.	Serrill.
Beech.	Gorman,	Mihm.	Shoemaker.
Bender.	Graybill.	Mikula.	Simons.
Bentzel.	Greenwood.	Miller.	Smith, C. C.
Bloom.	Greer.	Mills.	Smith, C. M.
Boies.	Griffiths.	Mintess.	Snider.
Bonawitz.	Guthrie.	Mohr.	Sollenberger.
Boorse.	Gyger.	Mooney.	Sorz.
Bower.	Hall.	Moore, C. E.	Sproul.
Breisch.	Haller.	Moore, H. A.	Stank.
Brice.	Haudenschild.	Morrison.	Stimmel.
Brown.	Helm.	Murray.	Stockham.
Brunner.	Henry.	Myers.	Stonier.
Bucchin.	Hewitt.	Najaka.	Stuart.
Cadwalader.	Hocker.	Naumann.	Sweeney.
Capano.	Hoffman.	Needham.	Tahl.
Cassidy.	Hoopes.	Neff.	Thomassy.
Chervenak.	Horan.	Nelson.	Thompson.
Chudoff.	Imbt.	O'Connor.	Tittle.
Cochran.	Jennings.	O'Dare.	Tompkins.
Cole.	Johnson.	O'Donnell.	Toomey.
Cook.	Johnston.	O'Neill.	Turner.
Cooper.	Jones.	Orban.	Upshur.
Cordier.	Jump.	Patten.	Vaughan.
Costa.	Kean.	Petrosky.	Verona.
Crowley.	Kelley.	Pichney.	Wachhaus.
Dague.	Kemp.	Pickens.	Wagner.
Dalrymple.	Kent.	Polaski.	Waldron.
Davison.	Kirley.	Powers.	Wallin.
De Long.	Kline.	Price.	Walton.
Demech.	Kohl.	Propert.	Waterhouse.
Dennison.	Kratz.	Ragot.	Watkins.
Depuy.	Krise.	Readinger.	Watson.
Dix.	Kurtz.	Reagan.	Weidner.
Dye.	Laughner.	Reese, D. P.	Weiss.
Efenberg.	Layer.	Reese, R. E.	West.
Elder.	Lee.	Reilly, J. M.	Wescott.
Erb.	Leisey.	Reilly, W. J.	Wheeler.
Evans.	Livingston.	Richter.	Wolf.
Ewing.	Livingstone.	Riley.	Wood.
Feola.	Loftus.	Robbins.	Worley.
Fish.	Lovett.	Robertson.	Yeakel.
Fiss.	Lyons.	Root.	Yester.
Flack.	Madden.	Rose.	Yetzer.
Fleming.	Madigan.	Rowen.	Young.
Foor.	Mazza.	Royer.	Lichtenwalter.
Frost.	McCormack.	Sarra.	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger.

Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

TIME EXTENDED ON BILLS

Mr. SHOEMAKER asked and obtained unanimous consent to extend the time five days on House Bill No. 641, Printer's No. 376, on page 7 of today's calendar, bills on final passage postponed.

ANNOUNCEMENTS

The SPEAKER. The Chair wishes to announce that there will be a Republican caucus immediately upon adjournment in the new House caucus room. The Members are urged to be present.

There will also be a caucus of the Democratic Members of the House at twelve-thirty daylight savings time tomorrow in the old House caucus room.

RESOLUTION

Mrs. DYE offered a resolution which was laid over under the Rules.

CONDOLENCE RESOLUTION

Messrs. STOCKHAM and YEAKEL offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 27, 1947.

Life is a stage and men are but actors, was in substance the word picture of the great Bard of Avon.

Upon the stage in the Pennsylvania House of Representatives there appeared an actor of humble demeanor, but one who played a prominent part for many years in the deliberation of the Assembly of Pennsylvania.

W. Albertson Haines was elected to this House in 1918, and consecutively in 1920, 1924, 1926, 1928, 1930 and 1932. Dr. Haines was born in Moorestown, New Jersey, March 6th, 1880. He was a farm boy and was educated in the public schools of his native state. He entered the University of Pennsylvania in 1904 and received the degree of V. M. D. in June of 1907.

He practiced his profession in Bristol, Bucks County, and operated a large dairy farm in the neighborhood. In civic affairs Dr. Haines was a leader in his town and county and headed a movement in 1915 that organized the Bucks County Farm Bureau.

While a Member of this House, Dr. Haines was chairman of the Committee on Agriculture and took a prominent part in the activities of the Legislature and a leader in measures pertaining to agriculture.

Thus, in equal fervor, W. Albertson Haines continued as a prominent actor on the stage of life at home as he did in these Halls.

He retired from this stage on September 4, 1946, died at his home in Newtown, Bucks County, ending a useful and very active career; therefore be it

Resolved, That this House pause in its deliberations for a moment in memory of this prominent citizen of Bucks County, that these resolutions be recorded in the proceedings of this day, and that a copy of the same be sent to the widow and family of the late Honorable W. Albertson Haines.

PERMISSION TO ADDRESS HOUSE

Mr. PETROSKY asked and obtained unanimous consent to address the House.

Mr. Speaker, the past week of this session of the General Assembly saw the passage in this House of several anti-labor pieces of legislation which are now before the State Senate for its consideration. At the time of the passage of this legislation the Democratic minority in protest to the administration program of thrusting upon the working people of the Commonwealth, protested to the extent that we were within nineteen votes of defeating certain measures that we had considered Wednesday, the 21st of May.

On Thursday morning I certainly was amazed and no doubt the other Members of the House were, to learn that the president of the Pennsylvania Federation of Labor, James L. McDevitt, had seen fit to publicly begin to oppose House Bill 952, which was termed in a statement of his own making in the Post-Gazette of Friday morning, May 23rd as the most vicious piece of anti-labor legislation that was passed by this House.

A great many of the rank and file of the American Federation of Labor in my county were indeed amazed to learn from the statement of the gentleman aforementioned that he was ignorant of the exact wording of House Bill 952, and the statement that he has made that he did not know that it was such a drastic move on the part of the administration forces.

Now then, Mr. Speaker, I am at a loss to know why the membership of the other side of the House did not convey to the gentleman the exact import of the amendments to the Unemployment Compensation Insurance Act as proposed by House Bill No. 952. I also wonder as to whether or not if the membership of this House had had this information from the American Federation of Labor prior to Thursday morning May twenty-second, the day after the legislation was passed, whether or not we could not have killed this legislation here in the lower House.

Mr. Speaker, for the past three sessions, including the present session of the General Assembly, I have at all times endeavored to present an honest picture of what I felt should be done for the people back home who need representation. Certainly I am grieved at this time to see that there was no representation for the seven hundred twenty thousand members of the rank and file American Federation of Labor on House Bill 952. Now, that there is a possibility, and if that is the end to which the gentlemen are working in endeavoring to have the Governor veto the legislation in the event that the Senate passes it, I certainly add my appeal to that of any one else in this House of Representatives to ask for the veto of House Bill 952 by the Governor of the Commonwealth, in the event the proposal is considered and passed by the Senate, and I so request the Honorable James Duff to veto House Bill 952.

BILL RE-REFERRED

Mr. SHOEMAKER form the Committee on Counties, returned with the recommendation that it be re-referred to the Committee on Cities and County—Second Class, Senate Bill No. 72, entitled:

An Act to further amend section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for the payment of retirement allowances to widows of deceased county employes and for crediting employes with time spent in military servise in counties of the second class

REPORTS FROM COMMITTEES

Mr. MILLER from the Committee on Insurance, reported as amended, Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies, heretofore incorporated, to reincorporate, or to merge and reincorporate, as limited life insurance companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

Mr. O'NEILL from the Committee on Insurance, reported as amended, Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by permitting certain additional stock insurance companies to come within the provisions thereof and changing certain capital and surplus requirements.

LEAVE OF ABSENCE

By consent of the House leave of absence was granted as follows:

Mr. Madden for Mr. NELSON for the remainder of the week because of illness in the family.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 314.

An Act to further amend sections five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by further prescribing the employes that are required to become members of the pension system of such city and removing optional rate of contribution

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend the title, page 1, line 8 by striking out after the word "by" the words "requiring all city county or other public employees whether paid a per diem wage or otherwise" and inserting in lieu thereof the words "further prescribing the employees that are required."

Amend Section 2, page 6 by striking out after line 6 the following:

"Section 6 [Should any] Every person holding a position in said cities of the first class or any county or other public employes [if any] paid out of the treasury of such cities as aforesaid [be paid a per diem wage or a salary at a rate of three hundred and sixty dollars each year or less he or she] shall [not]" and inserting in lieu thereof the following:

"Section 6 Should any person holding a position in [said cities] any city of the first class or any county or other public [employes] employe paid out of the treasury of any such [cities] city as aforesaid be paid a per diem wage on a salary at a rate of three hundred and sixty dollars each year or less he or she] employed at tempor-

ary work with the understanding that it probably will be for a period of not more than three months such employe shall not"

Amend Section 2, page 7, line 3 by striking out the bracket before the word "but"; line 5 by striking out the bracket fater the word "act."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. MINTESS. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Miller,	Greenwood,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buechin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Proper,	Waterhouse,
Dennison,	Kurtz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,
Dix,	Kurtz,	Reagan,	Weidner,
Dye,	Laughner,	Reese, D. E.,	Weiss,
Efenberg,	Layer,	Reese, E. E.,	Wescott,
Elder,	Lee,	Reilly, J. M.,	West,
Erb,	Lelsey,	Reilly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Fish,	Lovett,	Robertson,	Yeakel,
Tiss,	Lyons,	Root,	Yester,
Flack,	Madden,	Rose,	Yetzer,
Fleming,	Madigan,	Rowen,	Young,
Foor,	Mazza,	Royer,	Lichtenwalter,
Frout,	McCormack,	Sarra,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 393.

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend section 5, page 3, line 20, by striking out after the word "more and bracket" the word "less"; and page 4, line 3, by striking out after the word "more and bracket" the word "less" and after the word "days and heavy bracket" the word "or"; and line 8, by striking out after the word "more and bracket" the word "less" and after the word "days" and heavy bracket" the word "or".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. GOODLING. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—203.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boies,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	Nelson,	Thompson,
Chudoff,	Imbt,	O'Connor,	Tittle,
Cochran,	Jennings,	O'Dare,	Tompkins,
Cole,	Johnson,	O'Donnell,	Toomey,
Cook,	Johnston,	O'Neill,	Turner,
Cooper,	Jones,	Orban,	Upshur,
Cordier,	Jump,	Patten,	Vaughan,
Costa,	Kean,	Petrosky,	Verona,
Crowley,	Kelley,	Pichney,	Wachhaus,
Dague,	Kemp,	Pickens,	Wagner,
Dalrymple,	Kent,	Polaski,	Waldron,
Davison,	Kirley,	Powers,	Wallin,
De Long,	Kline,	Price,	Walton,
Demech,	Kohl,	Propert,	Waterhouse,
Dennison,	Kratz,	Ragot,	Watkins,
Depuy,	Krise,	Readinger,	Watson,

Dix,	Kurtz,	Reagan,	Weldner,
Dye,	Laughner,	Reese, D. P.,	Weiss,
Efenberg,	Layer,	Reese, R. E.,	Wescott,
Elder,	Lee,	Relly, J. M.,	West,
Erb,	Leisey,	Relly, W. J.,	Wheeler,
Evans,	Livingston,	Richter,	Wolf,
Ewing,	Livingstone,	Riley,	Wood,
Feola,	Loftus,	Robbins,	Worley,
Flack,	Lovett,	Robertson,	Yeakel,
Fleming,	Lyons,	Root,	Yester,
Foor,	Madden,	Rose,	Yetzer,
Fish,	Madigan,	Rowen,	Young,
Fiss,	Mazza,	Royer,	Lichtenwalter,
Frost,	McCormack,	Sarraff,	Speaker.

NAYS—0.

NOT VOTING—2.

Clevenger,

Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 314.

An Act to further amend sections five and six of the act approved the twentieth day of May one thousand nine hundred fifteen (P. L. 566) entitled "An act requiring cities of the first class to establish a pension fund for employes of said cities and all county or other public employes if any paid by appropriation of the city councils thereof and out of the treasury of said cities and regulating the administration and the payment of such pensions" by further prescribing the employes that are required to become members of the pension system of such city and removing optional rate of contribution

HOUSE BILL No. 393.

An Act to amend sections two and five of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1007) entitled "An act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties" further regulating such weights and measures and increasing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

Agriculture and Dairy Industries, Room No. 331, Wednesday, May 28, 1947, at 10:30 a. m., D. S. T.

Appropriations, Room No. 246, Wednesday, May 28, 1947, at 12 o'clock noon, D. S. T.

Motor Vehicles, Room No. 522, Wednesday, May 28, 1947, at 10 a. m., D. S. T.

Municipal Corporations, Room No. 521, Wednesday, May 28, 1947, at 11 a. m., D. S. T.

Professional Licensure, Room No. 324, Wednesday, May 28, 1947, at 12 o'clock noon, D. S. T.

State Government, Room No. 324, Wednesday, May 28, 1947, at 11 a. m., D. S. T.

Ways and Means, New House Cauncus Room, Wednesday, May 28, 1947, at 10 a. m., D. S. T.

ADJOURNMENT

Mr. SCOTT. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 28, 1947 at 12:00 noon Eastern Standard Time.

The motion was agreed to, and (at 2:56 p. m. EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., WEDNESDAY, MAY 28, 1947.

No. 64.

SENATE

WEDNESDAY, May 28, 1947

The Senate met at 2:00 o'clock, p. m., Eastern Standard Time.

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

PRAYER

In the absence of the Chaplain prayer was offered by the Rev. FRANCIS E. REINBERGER, Pastor of the Trinity Lutheran Church, Camp Hill, Penna.

Almighty God, Father of Light, and Fountain of all Wisdom, who hast united us in families and states and nations, so that the needs, the aims, the ideals of a fraternity of mankind might be accomplished; we remember before Thee this day all those who lead and guide the affairs of our common life, but especially do we ask Thy blessing upon those who direct the affairs of our Commonwealth, those who work for justice and truth between man and man, between class and class, for health, and charity and the furtherance of good-will; may the inspiration of Thy spirit rest upon them. And to all of us, O God, grant the clear vision of a pure social life, and the grace to pursue it loyally, that our Commonwealth, in its industry and commerce, in its education and art, in its religion and government, may be found to be following that which is beautiful and good and true; to the glory of Thy holy and blessed Name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WATSON, further reading was dispensed with, and the Journal was approved.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. KEPHART. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on May 28, 1947.

Mr. BERGER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,

Governor's Office, Harrisburg, May 28, 1947

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Chester A. Somers, Pittsburgh, 55 Water St. (22).

BERKS COUNTY

Galen H. Fries Jr., Reading.

CRAWFORD COUNTY

Mrs Elizabeth T. Beck, Meadville.

DAUPHIN COUNTY

Mrs. Jean B. Deimler, Middletown.

LEHIGH COUNTY

Miss Helen E. Gibb Allentown.

LUZERNE COUNTY

Miss Hilda M. Foster, Wilkes-Barre.

MERCER COUNTY

Miss Jo Anne Ring, Sharon.

NORTHUMBERLAND COUNTY

Leon J. Stanitski Shamokin.

PHILADELPHIA COUNTY

Mrs Marcella G. Levin, Phila., 2517 Germantown Ave.,

WESTMORELAND COUNTY

Mrs Belinda Gilmore, Monessen.

YORK COUNTY

P. Russell Kraber, West York.

JAMES H. DUFF.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. KEPHART and Mr. BERGER, That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

MEMBERS OF COUNTY BOARDS OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 28, 1947.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Members of County Boards of Assistance:

MONTGOMERY COUNTY

Mrs. Florence T. Hunsberger (Republican), 205 Roberts Avenue, Glenside, from May 8, 1946, until December 31, 1948, and until her successor is duly appointed and qualified.

WESTMORELAND COUNTY

Dr. John B. Laughrey (Republican), Sutersville, from September 17, 1946, until December 31, 1947.

James Deal (Republican), 115 Laird Street, Greensburg, to serve until December 31, 1949, and until his successor is duly appointed and qualified. (Reappointment).

William F. McCabe (Republican), 1006 Pine Manor, New Kensington, from September 17, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Robert M. Withington (Republican), 173 Grant Avenue, Vandergrift, from September 17, 1946, until December 31, 1948, and until his successor is duly appointed and qualified.

Mrs. Sarah K. Evans (Republican), Herminie, from September 17, 1946, until December 31, 1947, and until her successor is duly appointed and qualified.

Dr. Roy M. Hoffman (Democrat), 2d and Clay Avenue, Jeannette, from January 1, 1947, until December 31, 1949, and until his successor is duly appointed and qualified.

Joseph Janosik (Republican), Monessen, to serve until December 31, 1949, and until his successor is duly appointed

and qualified, vice Dr. J. Karl Beery, Monessen, whose term expired.

JAMES H. DUFF.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR
HOUSE BILL NO. 1286

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 27, 1947.

Resolved, (If the Senate concur), That House Bill No. 1286, Printer's No. 504, entitled:

An Act validating certain conveyances of real property made by a county home or by the directors of the poor.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENT TO HOUSE BILL NO. 865 RECALLED
FROM THE GOVERNOR

He also presented for concurrence House Bill No. 865, entitled:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," reducing the number of times publication of notice of officers to be elected and time of November elections shall be given.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL NO. 218 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 218, entitled:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nominations of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended, will appear on tomorrow's Calendar.

SENATE BILL NO. 219 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 219, entitled:

An Act to add section eight hundred twelve to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing that where members of a political party are appointed or elected to represent the members of such party in an election district, said members shall constitute a political committee for such district.

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

SENATE BILL NO. 284 RETURNED WITH
AMENDMENTS

He also returned to the Senate, Senate Bill No. 284, entitled:

An Act to further amend the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by further prescribing certain powers and duties of registration commissions, and imposing an additional penalty

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE CONCURS IN SENATE BILL NO. 310

He also returned to the Senate, Senate Bill No. 310, entitled:

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts con-

ferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 314

He also returned to the Senate, Senate Bill No. 314, entitled:

An Act to further amend section seven of the act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, as amended, "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain, providing for the setting off of benefits imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities, counties and townships and the Department of Highways," permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas and providing for the installation of flood forecasting and warning systems.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 316

He also returned to the Senate, Senate Bill No. 316, entitled:

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain lands for such purposes to construct and maintain flood forecasting and warning systems.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 505

He also returned to the Senate, Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions

in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age, eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowance

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 519

He also returned to the Senate, Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259) entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," providing for the purchase by the municipality of Pension Annuity Contracts for policemen.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 637

He also returned to the Senate, Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth defining their powers and duties providing for the membership thereof providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 639

He also returned to the Senate, Senate Bill No. 639, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

with the information that the House has passed the same without amendments.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 247, entitled:

An Act making an appropriation to the C. Dudley Saul Clinic of the Saint Luke's and Children's Medical Centre, Philadelphia, Pennsylvania, for the purpose of expanding its facilities for the care and treatment of alcoholics.

Which was committed to the Committee on Appropriations.

House Bill No. 268, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of restoring and repairing Lappanwinzo Dam of Northampton, Northampton County, Pennsylvania damaged by flood waters.

Which was committed to the Committee on Appropriations.

House Bill No. 303, entitled:

An Act making an appropriation to the Orlando S. Johnson Industrial School of Scranton, Pennsylvania, for maintenance and purchase of supplies and equipment.

Which was committed to the Committee on Appropriations.

House Bill No. 381, entitled:

An Act permitting employees of counties of the second class to accumulate their annual sick leaves, and making such right retroactive.

Which was committed to the Committee on Local Government.

House Bill No. 587, entitled:

An Act making an appropriation to Sleighton Farm School for Girls, situated in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 687, entitled:

An Act making an appropriation to the Department of Health for use in research and demonstration work dealing with the improvement of nutritional status of civilians, including children, as well as family groups, industrial workers, and others.

Which was committed to the Committee on Appropriations.

House Bill No. 688, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County, and in Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 700, entitled:

An Act authorizing and empowering city treasurers of cities of the second class to sell at public sale lands or real estate upon which the taxes, assessed and levied by the city or school district, are delinquent and unpaid; fixing the interests of all taxing authorities where such lands are purchased by the city; providing for the distribution of moneys received as income from or resale of such lands; and providing for a method of reselling such lands purchased by the city, or by the city and school

district within said city at any sale for the nonpayment of taxes, free and clear of all mortgages, ground rents, interest in or claims against said lands

Which was committed to the Committee on Local Government.

House Bill No. 701, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the School of Veterinary Medicine.

Which was committed to the Committee on Appropriations.

House Bill No., 713, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn, in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school

Which was committed to the Committee on Appropriations.

House Bill No. 737, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the construction of a driveway at the Ephrata Cloisters.

Which was committed to the Committee on Appropriations.

House Bill No. 738, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs and other measures urgently needed for the conservation, protection and development of certain buildings at Ephrata Cloister and important historical shrine belonging to the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 739, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for essential repairs to buildings of the property at Ambridge, Beaver County, Pennsylvania known as "Old Economy."

Which was committed to the Committee on Appropriations.

House Bill No. 840, entitled:

An Act making an appropriation out of the General Fund to the Department of Public Instruction to promote farm and home safety education.

Which was committed to the Committee on Appropriations.

House Bill No. 843, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police, to acquire by purchase or condemnation suitable building or buildings in the Borough of Punxsutawney, Jefferson County for use as a Pennsylvania State Police barracks and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 918, entitled:

An Act making an appropriation to the Williamson Free School of Mechanical Trades for maintenance.

Which was committed to the Committee on Appropriations.

House Bill No. 928, entitled:

An Act making an appropriation to the Trustees of the George, Jr. Republic Association, Grove City, Pennsylvania, for the payment of costs of new construction and repairs.

Which was committed to the Committee on Appropriations.

House Bill No. 1004, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways for roads, paths and parking areas on the Daniel Boone Homestead property.

Which was committed to the Committee on Appropriations.

House Bill No. 1006, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the improvements of the Daniel Boone Homestead.

Which was committed to the Committee on Appropriations.

House Bill No. 1162, entitled:

An Act to further amend subsection (b) and to amend the last paragraph of section nine hundred thirteen of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," further providing for payment of filing fees in certain cases.

Which was committed to the Committee on Elections.

House Bill No. 1190, entitled:

An Act providing for the distribution of rents received from real estate sold for taxes by any taxing authority and purchased by any such taxing authority having tax claims against such real estate; declaring such taxing authority trustee for other taxing authorities, and providing for the formula and basis for computing and making distribution of the rentals received therefrom to other taxing authorities having claims against such real estate.

Which was committed to the Committee on Local Government.

House Bill No. 1243, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State Property.

Which was committed to the Committee on Appropriations.

House Bill No. 1245, entitled:

An Act making an appropriation to the Trustees of the Hahenemann Medical College and Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1246, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1247, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1248, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1249, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1250, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania, at Philadelphia.

Which was committed to the Committee on Appropriations.

House Bill No. 1251, entitled:

An Act making an appropriation from the Motor License Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Motor License Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1252, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employees Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Banking Department Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1253, entitled:

An Act making an appropriation from the Fish Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State Employees receiving compensation from the Fish Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1254, entitled:

An Act making an appropriation from the Game Fund to the State Employees' Retirement Board, to meet obliga-

tions of the Commonwealth to the State Employees' Retirement System with respect to the State employees receiving compensation from the Game Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1255, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the Manufacturing Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1256, entitled:

An Act making an appropriation from the State Stores Fund to the State Employees' Retirement Board, to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Stores Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1257, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth to the State Employees' Retirement System with respect to State employees receiving compensation from the State Workmen's Insurance Fund.

Which was committed to the Committee on Appropriations.

House Bill No. 1258, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1259, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies, for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

Which was committed to the Committee on Appropriations.

House Bill No. 1260, entitled:

An Act making appropriations from the Motor License Fund to the Board of Finance and Revenue to meet interest, sinking fund, and service requirements on the State debt.

Which was committed to the Committee on Appropriations.

House Bill No. 1261, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled "An act authorizing the Department of Military Affairs to collect and to preserve the selective service and war records of the Commonwealth of Pennsylvania; authorizing the

storage of such records in available buildings or the construction of a new building to accommodate them, if necessary; and making an appropriation therefor."

Which was committed to the Committee on Appropriations.

House Bill No. 1262, entitled:

An Act making appropriations to the Treasury Department out of various funds, to pay replacement checks issued in lieu of outstanding checks when presented, and to adjust errors.

Which was committed to the Committee on Appropriations.

House Bill No. 1263, entitled:

An Act making an appropriation for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Which was committed to the Committee on Appropriations.

House Bill No. 1264, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1265, entitled:

An Act making an appropriation for the purpose of maintaining the public roads, and improving and replacing bridge thereon, through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1267, entitled:

An Act making an appropriation to The Glen Mills School situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1268, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of said university, the purchase of apparatus and equipment therefor, and the maintenance of teaching facilities in hospitals for students in the School of Medicine of said university.

Which was committed to the Committee on Appropriations.

House Bill No. 1269, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Which was committed to the Committee on Appropriations.

House Bill No. 1270, entitled:

An Act making an appropriation to aid certain school districts.

Which was committed to the Committee on Appropriations.

House Bill No. 1271, entitled:

An Act making an appropriation to the Department of Labor and Industry, to meet the obligation of the Commonwealth, to pay a part of the compensation payable for certain occupational diseases.

Which was committed to the Committee on Appropriations.

House Bill No. 1272, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 1273, entitled:

An Act to repeal the act approved the fourth day of June, one thousand nine hundred forty-five, entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire by condemnation or purchase, land or land and buildings within the City of Philadelphia, and within the City of Pittsburgh, or the County of Allegheny; and to construct, alter, improve and equip such property for use of the Commonwealth; providing for the maintenance thereof; and making an appropriation."

Which was committed to the Committee on Appropriations.

House Bill No. 1276, entitled:

An Act making an appropriation to the Department of Military Affairs, for the maintenance and education of children of certain soldiers, marines, female field clerks, yeomen (female) and nurses.

Which was committed to the Committee on Appropriations.

House Bill No. 1277, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1278, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for Medical education.

Which was committed to the Committee on Appropriations.

House Bill No. 1287, entitled:

An Act to provide for the change of objects of the corporate existence of volunteer fire-companies and firemen's relief associations connected with volunteer fire departments, and authorizing and providing a mode for the dissolution and surrender of the charter of said companies and associations.

Which was committed to the Committee on State Government.

House Bill No. 1336, entitled:

An Act making an appropriation to the Berean Manual Training School, at Philadelphia, Pennsylvania for the purpose of the maintenance of said school.

Which was committed to the Committee on Appropriations.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 310, entitled:

An Act to amend section four of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors; courts and various officers of said political subdivisions; and prescribing penalties," requiring taxing districts to pay the premium on corporate bonds of tax collectors in boroughs, towns and townships of the second class; and fixing the time when such tax collectors shall file their bonds.

Senate Bill No. 314, entitled:

An Act to further amend section seven of the act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carry into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas; and providing for the installation of flood forecasting and warning systems.

Senate Bill No. 316, entitled:

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications, to construct and maintain dams, reservoirs, lakes and other works and improvement for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas; to acquire by purchase, condemnation or otherwise certain lands for such purposes; to construct and maintain flood forecasting and warning systems.

Senate Bill No. 505, entitled:

An Act to further amend the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and

providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employees of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," changing the provisions relating to prior service and defining prior salary; changing the superannuation retirement age; eliminating the requirement for joinder of system by twenty-five municipalities, reducing the amount of contributions by members; and changing provisions relating to retirement allowance.

Senate Bill No. 519, entitled:

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-one (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employees' Retirement System, and in certain other cases into the State Employees' Retirement Fund, for certain purposes," providing for the purchase by the municipality of Pension Annuity Contracts for policemen.

Senate Bill No. 637, entitled:

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for cooperation with the Department of Agriculture and other State agencies and requiring certain reports.

Senate Bill No. 639, entitled:

A Further Supplement to the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business the power to appropriate private property in certain cases and subject to approval by Public Utility Commission for the construction maintenance and operation of its lines and facilities and providing for the assessment of damages arising from such appropriation and the method of appropriation

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

LEHIGH COUNTY COUNCIL OF REPUBLICAN WOMEN INTRODUCED

Mr. TALLMAN. Mr. President, I am very pleased to present to the Senate at this time a group of ladies who have spent the day in Harrisburg, in the Capitol, visiting the House and the Senate they are members of the Lehigh County Council of Republican Women.

The PRESIDENT. The Chair, on behalf of the Senators, is very glad indeed to welcome the ladies from the Lehigh County Council of Republican Women, and we are glad to note that Senator Tallman has such fine backing.

REPORT FROM COMMITTEE

Mr. DONLAN, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase.

BILLS REPORTED FROM COMMITTEE

Mr. WILSON. Mr. President, I report at this time from the committee on Constitutional Changes and Federal Relations, House Bill 1013. It is as committed. I ask just a moment of indulgence of the members of the Senate, to call attention to the fact that this one is just a little unusual, and that we took pains to see every member of the committee, and every member of the committee agreed that this bill should be reported as committed. It is only adding just three or four words to the Constitution, and pertains to the question of improvements out in little villages, or thickly settled communities within townships, and so forth, and which has been really done for a good many years, perhaps improperly or illegally, and we felt that we should consider this proposed amendment to the Constitution.

Mr. President, in addition thereto, I have two other proposals for amendments, which I will present to the Chair in just one moment.

I report from the same committee on Constitutional Changes and Federal Relations, as committed, Senate Bill 529, and there was no objection.

I also report from the same committee Senate Bill 797, and there were no objections there, although there may be later on, but it seems that we should at least give them prompt consideration. Thank you.

REPORTS FROM COMMITTEES

Mr. WILSON, from the Committee on Constitutional Changes and Federal Relations, reported as committed, House Bill No. 1013, entitled:

A Joint resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed Senate Bill No. 529, entitled:

A Joint Resolution Proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing agreements between Redevelopment Authorities and local taxing authorities, limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment.

He also, from the Committee on Constitutional Changes and Federal Relations, reported as committed, Senate Bill No. 797, entitled:

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the use of certain revenues for the acquisition of bridges.

Mr. RUTH, from the Committee on Agriculture, reported as committed, Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester, Suffolk or Nassau in the State of New York; providing for a Milk Compact Commissioner; designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner; authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk, subject to such federal consent as may be authorized or required by law; providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact; authorizing uniform regulation of prices to be paid producers, as may be provided in any such compact; providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf; providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania, not covered by such compact or order and re-delivered, re-sold or otherwise disposed of, or marketed in any marketing area in the Commonwealth of Pennsylvania, as such prices are fixed by the then existing rules, regulations and prices legally established in Pennsylvania for such area; providing for reports to be made upon request to the Governor of the Commonwealth, and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1, Section 10, Clause 3 of the Constitution of the United States.

Mr. RAHAUSER, from the Committee on Judiciary General, reported as committed, House Bill No. 798, entitled:

An Act to amend the act, approved the first day of June, one thousand nine hundred forty-five (P. L. 1358), entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description, including, but not limited to, livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown; designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices; and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties," providing that chattel mortgages need not be acknowledged nor witnessed.

Mr. WOODRING, from the Committee on Corporations, reported as committed, Senate Bill No. 106, entitled:

An Act to amend the title of and the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 967), entitled "An act making it un-

lawful for any individual or individuals to carry on any business under an assumed or fictitious name, style or designation, unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring non-resident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners, at the expense of the county, to provide books or other means of reproduction for the entry of such applications; requiring the cancellation of such application or the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," including corporations within the provisions thereof.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 954, entitled:

An Act to amend section six hundred four of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the conclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices.

Mr. JASPAN, from the Committee on Corporations, reported as committed, Senate Bill No. 654, entitled:

An Act to reenact section one of the act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 110), entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations."

BILL INTRODUCED AND REFERRED

Mr. FRAZIER read in his place and presented to the Chair Senate Bill No. 813, entitled:

An Act to amend section three hundred two, to further amend sections three hundred four, eight hundred one, eight hundred four, eight hundred seven and eight hundred eight and to amend section nine hundred one and to repeal sections eight hundred two and eight hundred five of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery, and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate

and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by restricting the price; fixing powers of the Milk Control Commission to prices to be paid for milk to persons producing milk.

Which was committed to the Committee on Agriculture.

RESOLUTION PRESENTED AND ADOPTED

Mr. FRAZIER. Mr. President, in 1934 I was succeeded in this very Chamber by a very distinguished and able citizen from West Philadelphia, and I replaced him in 1946.

He had the misfortune last week to lose a very devoted, loyal and fine wife, and I desire to offer a resolution at this time and move its immediate adoption.

RESOLUTION

CONDOLENCE TO THE FORMER STATE SENATOR JOHN J. MCCREESH AND FAMILY

Mr. FRAZIER offered the following resolution which was twice read, considered and agreed to:

In the Senate, May 28, 1947.

Susan A. McCreesh, wife of our friend, the former State Senator John J. McCreesh, died May 22, 1947 at Fitzgerald Mercy Hospital, Darby, Pennsylvania, leaving a heritage of sincere and deep family devotion and unselfish service in behalf of others through her many religious and charitable activities.

The mother of six sons and two daughters, all of whom survive her, in addition to her husband, Mrs. McCreesh will remain forever in the hearts of her family and many friends who partook of her spirit and love during her lifetime, as was attested by the beautiful funeral, garlands of flowers and many friends attending her last rites.

Our friend and former colleague, John J. McCreesh, may well be proud and grateful to have had such a wife and companion to nurture his children through childhood; therefore, he it

Resolved, That the members of the Senate of Pennsylvania extend their heartfelt sympathy to our friend, John J. McCreesh and to his family in the death of his wife and their mother; and be it further

Resolved, That the Secretary of the Senate transmit a copy of this resolution to John J. McCreesh and family as an inadequate but sincere token of their deepest sympathy.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous con-

sent that Senate Bill No. 78, on concurrence in House amendments, entitled:

An Act to further amend clauses (k) (s) and (y) of section four and to reenact and further amend section three hundred one of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employers contribution rates are determined and for a lag between the period on which contribution rates are based and the rate period and placing experience rating on a permanent basis

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 152, on concurrence in House amendments, entitled:

An Act to reenact clauses six, seven, twenty and twenty-three of section two of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers and liabilities, and regulating the exercises, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicles; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regu-

lation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of a commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," as amended, exempting from the provisions thereof motor vehicles engaged in the transportation of logs, pulpwood, or wood used in the manufacture of charcoal and wood chemicals.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 318, on concurrence in House amendments, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within six years after the effective date of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 334, on concurrence in House amendments, entitled:

An Act to amend the act, approved the second day of May one thousand nine hundred forty-five (P. L. 382) entitled, "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further providing for the incorporation of such Authorities; and further prescribing the rights, powers, and duties of such Authorities.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 428, as follows:

An Act to further amend clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and

make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by expressly excluding from the definition of "employment" services of certain solicitors agents and salesmen who are compensated on a commission basis

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (17) of subdivision (4) of subsection (L) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1145) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly require otherwise

* * * * *

(L) * * * *

(4) The word "employment" shall not include

* * * * *

(17) Service performed by an individual for an employer as an insurance agent or real estate salesman or as an insurance solicitor or as a real estate broker or a solicitor of applications for or salesman of shares of or certificates issued by an investment company or as an agent of an investment company if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication

Section 2 Nothing contained in this amendatory act shall be construed as a legislative declaration that the services of the solicitors agents or salesmen mentioned herein were heretofore within the scope of the definition of "employment" contained in the Unemployment Compensation Law

Section 3 The provisions of this act shall become effective immediately upon final enactment and shall be retroactive to the first day of April one thousand nine hundred forty-seven

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,
Berger,
Blass,

Donlan,
Farrell,
Frazier,

Mahany,
Mallery,
Ruth,

Wade,
Wagner,
Walker,

Carr,
Chapman,
Crider,
Crowe,
DiSilvestro,
Doehla,

Geltz,
Heyburn,
Homsher,
Kephart,
Letzler,
Lord,

Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Tyler,

Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,

NAYS—8

Barr,
Dent,

Holland,
Jaspan

Klein,
Lane,

Stiefel,
Tarr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 673, as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 353 No. 146) is hereby further amended by adding after section fourteen a new section to read as follows

Section 14.1 Reinstatement on Return to County Employment Should a contributor by resignation or dismissal or in any other way than by death or retirement separate from county employment or should a county officer legally withdraw from the retirement system and return to county employment and seek reinstatement in the retirement fund within five years of such withdrawal resignation or dismissal and restore to the retirement fund to the credit of the member's annuity reserve account his accumulated deductions as they were at the time of separation the annuity rights forfeited by him shall be restored Such payments may be made either in a lump sum or by installments but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,

Farrell,
Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,

Leader,
Letzler,
Lord,
Mahany,
Mallery,
Rahausser,
Rosenfeld,
Ruth,

Tallman,
Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,

Dent,
DiSilvestro,
Doehla,
Donlan,

Jaspan,
Kephart,
Klein,
Lane,

Scarlett,
Snowden,
Stevenson,
Stiefel,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 895, as follows:

An Act to add a new section six hundred twenty-six to the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" authorizing insurance companies associations and exchanges to pay commissions to licensed brokers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" is hereby amended by adding immediately after section six hundred twenty-five a new section to read as follows

Section 626 Payment of Commissions to Brokers Any insurance company association or exchange or the agent hereof may pay money commission or brokerage or give or allow anything of value to a duly licensed insurance broker for or on account of the solicitation or negotiation of contracts for insurance on property or risks within the Commonwealth

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Tarr,
Becker,
Berger,
Blas,
Carr,
Chapman,
Crider,
Crowe,

Farrell,
Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,

Leader,
Letzler,
Lord,
Mahany,
Mallery,
Rahauser,
Rosenfeld,
Ruth,

Tallman,
Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,

Dent,
DiSilvestro,
Doehla,
Donlan,

Jaspan,
Kephart,
Klein,
Lane,

Scarlett,
Snowden,
Stevenson,
Stiefel,

Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REQUEST THAT ALL BILLS BE READ AT LENGTH

Mr. JASPAN. Mr. President, in view of the fact that one of my Republican friends on the other side has failed to keep his agreement in respect to Senate Bill 218, which vitally affects the election code in the city of Philadelphia, I am compelled to invoke the provision of the Constitution which calls for the reading of every bill at length.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do not take a recess for ten minutes, in order that there may be a meeting of the Committee on Appropriations.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REQUEST THAT BILLS BE READ AT LENGTH
WITHDRAWN

Mr. JASPAN. Mr. President and members of the Senate, I am obliged more or less to withdraw my request, out of courtesy and decency to the gentlemen on both sides. I am not going to go into the merits of my position at this time because I feel I am right and I am going to stand up for my rights, whether it be today, tomorrow, Monday, Tuesday, Wednesday, or any other day.

However, on a promise made by the Republican floor leader and his capable assistant, Senator Becker, that this matter will be taken up by the Republican caucus tomorrow morning or tomorrow afternoon, whenever they meet, if it is finally agreed that they have to concur in the amendments, I shall renew my request that all bills be read at length.

If, however, they agree not to concur, I am perfectly content, because that was my position originally, as far as the Democrats were concerned and certain Senators of the other side, and I repeat, Mr. President, that I withdraw my request until tomorrow.

The PRESIDENT. The gentleman from Philadelphia, Senator Jaspan, has withdrawn his request that all bills be read at length.

REPORTS FROM COMMITTEES

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL from the Committee on Appropriations, reported as committed, Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement of Laurel Dam and Laurel Lake of the Commonwealth of Pennsylvania in Cook Township Cumberland County, Pennsylvania.

BILL RE-REFERRED

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 706, entitled:

An Act establishing in the public school system of the Commonwealth a uniform standard program of motor vehicle driver-training under the supervision of the Department of Public Instruction prescribing the type and character of assistance which may be supplied to the local school districts therefore defining the duties and requirements of the local school districts in obtaining such assistance and making an appropriation.

Which was re-referred to the Committee on Highways.

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DiSILVESTRO, from the Committee on Appropriations, reported as committed, House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds.

Mr. CARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CARR, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

He also, from the Committee on Public Health and Welfare, reported as committed, House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and

second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by clarifying the powers and duties of the institution districts.

Mr. SNOWDEN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN, from the Committee on Corporations, reported as committed, House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations.

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 77, entitled:

An Act to amend subsection (a) of section three hundred seven, subsection (d) of section three hundred ten, and section three hundred eleven of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle, conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budget of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of

administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of the commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by applying the prudent investment standard to utility property in fixing rates in certain cases.

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs, alterations, replacements and improvements to existing plant facilities and equipment, for the purchase or replacement of equipment, furnishings, and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

BILLS INTRODUCED AND REFERRED

Mr. WOODRING. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DONLAN and WOODRING read in place and presented to the Chair Senate Bill No. 814, entitled:

An Act to amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 806), entitled "An act limiting the number of licenses for the retail sale of liquor, malt or brewed beverages, or malt and brewed beverages, to be issued by the Pennsylvania Liquor Control Board; defining hotels, and prescribing the accommodations required of hotels in certain municipalities," by removing certain restrictions for a limited period of time, as to the licensing of veterans' organizations.

Which was committed to the Committee on Law and Order.

Mr. RAHAUSER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RAHAUSER read in place and presented to the Chair Senate Bill No. 815, entitled:

An Act to repeal the act, approved the twenty-third day of May, one thousand eight hundred ninety-three (P. L. 112), entitled "An act to prohibit the use of any adulteration or imitation of dairy products in any charitable or penal institution, being supplementary to an act, entitled 'An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof,' approved May twenty-one, Anno Domini one thousand eight hundred and eighty-five."

Which was committed to the Committee on Agriculture.

Mr. TYLER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TYLER read in his place and presented to the Chair Senate Bill No. 816, entitled:

An Act making an appropriation to the Tioga Point Museum, Athens, Bradford County, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. DENT and CARR read in place and presented to the Chair Senate Bill No. 817, entitled:

An Act regulating the marking or labeling of packages of creamery butter; and prescribing penalties.

Which was committed to the Committee on Agriculture.

BILLS ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 426, entitled:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof.

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODRING. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 2, page 2, line 12, by striking out the word "two" and inserting in lieu thereof the word "one." Amend Section 2, page 2, line 13, by striking out the word "years" and inserting in lieu thereof the word "year"; Amend Section 2, page 2, line 15, by striking out the word "two" and inserting in lieu thereof the word "one".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 477, entitled:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain

cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employees directing the payment of all moneys collected into the State Treasury and providing penalties" authorizing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies and association of individuals for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds.

And said bill having been read at length the third time,
On the question,

Will the Senate agree to the bill on third reading?

Mr. SNOWDEN. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Sec. 2 (Sec. 15.1), page 6, line 8, by inserting after the word "society" the following: "or association."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 477, on third reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 478, on third reading, entitled:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employees and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 507, on third reading, entitled:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 546, on third reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection and maintenance of traffic signals and the record of magistrates.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 644, as follows:

An Act to prohibit the manufacture and sale of oleomargarine or butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding-houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter to regulate the manufacture sale and advertising of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture sale and advertising as an imitation butter to prescribe penalties and punishment for violation of this act and the means and method of procedure for its enforcement to regulate certain matters of evidence in such procedure and to prescribe certain powers and duties of the Department of Agriculture

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definitions

The following words and terms as used in this act shall be construed as follows

"Department" means the Department of Agriculture of the Commonwealth of Pennsylvania its agents employees attorneys and representatives

"Secretary" means the Secretary of the Department of Agriculture of the Commonwealth of Pennsylvania

"Wholesale dealer" means all persons firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time

"Retail dealer" means all persons firms and corporations who shall sell in quantities of less than ten pounds

Section headings shall not be construed to affect in any manner the scope or meaning of any section of this act

The singular shall be construed to include the plural The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine

Section 2 Manufacture and Sale of Oleomargarine Regulated

No person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleaginous substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like butter of any shade of yellow as hereinafter described nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act For the purpose of this act oleomargarine butterine or similar substance shall be deemed to look like be in resemblance of or in imitation of butter of a shade of yellow when it has a tint or shade containing more than one and six-tenths degrees of yellow or of yellow and real collectively but with an excess of yellow over red as measured in the terms of the Lovibond tintometer scale or its equivalent

Section 3 License and Fee Prohibition Against Sale of Colored Oleomargarine

Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance not made or colored so as to look like yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department which application in addition to other matters which may be required to be stated therein by the Department shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the Department it shall issue to the applicant or applicants a license authorizing him or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble yellow butter for

which said license the applicant or applicants shall first pay if a manufacturer if a wholesaler if a retailer if a proprietor of a hotel restaurant or dining-room and if the proprietor of a boarding-house the annual sum of two dollars and the said license fee when received by the Department shall be immediately paid into the State Treasury Such licenses shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall not authorize the manufacture use sale exposing for sale or having in possession with intent to sell any oleomargarine butterine or any similar substance made or colored so as to look like yellow butter as herein provided

All licenses under this act shall expire on the thirty-first day of December of each year Such licenses may be transferred by the Department upon the application in writing of the person firm or corporation to which the same has been granted Provided That the transferee shall comply with the regulations made by the Department in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 4 Display of Licenses Placards and Menu Cards

After obtaining the license required by this act the person firm or corporation obtaining the same shall before beginning any business under the said license hang up and display in a conspicuous place on the walls of the room or store in which the oleomargarine butterine or other similar substance is manufactured sold or exposed for sale the license so obtained as aforesaid Every proprietor of a hotel restaurant dining-room or boarding-house shall also have placed upon every counter or table at which food meals or refreshments are served to customers a placard or menu card plainly printed stating that oleomargarine is used and served to customers

Section 5 Marking of Tubs Packages Parcels and Wrappers

It shall be unlawful for any person firm or corporation or any servant agent or employee thereof to sell or offer or expose for sale or have in possession with intent to sell any oleomargarine butterine or similar substance not in imitation of yellow butter which is not marked and distinguished on the outside of each tub package or parcel thereof in a conspicuous place with the word "oleomargarine" and the said word "oleomargarine" shall be printed in plain uncondensed Gothic letters of not less than 20-point type and the word "oleomargarine" shall measure at least three and one eighth ($3\frac{1}{8}$) inches in length and be a color in strong contrast to that of the tub package or parcel And when oleomargarine butterine or other similar substance not in imitation of yellow butter is sold at retail from such tub or packaged in print roll or other form before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the word "oleomargarine" printed or stamped thereon in letters one-fourth inch square and said wrapper shall also contain the name and address of the seller and the quantity sold with no other words thereon except the word "oleomargarine"

Section 6 Records

Every licensed manufacture of oleomargarine butterine or other similar product not in imitation of yellow butter and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall be kept at the place of business for which the license is issued and which shall always be open to the examination of the Department Every licensed retailer dealer in oleomargarine butterine or similar substance not in imitation of yellow butter shall keep an accurate account in a book open to the examination of the Department in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or any similar substance made by such retail dealer stating therein where

when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such form as the Department shall direct. Each licensed wholesale dealer in oleomargarine butterine or other similar product not in imitation of yellow butter shall deliver to the Department on or before the fifteenth of each month a list of sales of oleomargarine for the preceding month showing the name and address including the county of each purchaser and the quantity of such sale.

Section 7 Penalty for Violation of Act Recovery Appeal Disposition of Fines

Every person firm or corporation and every officer agent servant and employee of such person firm or corporation shall manufacture sell or offer or expose for sale, or have violations of this act or who shall sell oleomargarine butterine or any similar substance in violation of any of the provisions of this act or who shall sell oleomargarine butterine or any similar substance as or for butter or shall fail to keep a book in accordance with the last preceding section or who shall in any other respect violate any of the provisions of this act shall for every such offense forfeit and pay the sum of one hundred dollars which shall be recoverable with the costs as debts of like amount are by law recoverable and justices of the peace and aldermen throughout this Commonwealth shall have jurisdiction to hear and determine all actions for recovery of said penalties with the right to either party to appeal to the court of common pleas as provided in existing laws in suits for penalties. And all penalties imposed and recovered under the provisions of this act shall be paid to the Department and by it immediately paid into the State Treasury.

Section 8 Violation of Act Penalty

In addition to the above penalty every person firm or corporation and every officer agent servant or employee of such person firm or corporation who violates any of the provisions of this act shall also be guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment in the county jail for not more than three months or both at the discretion of the court and upon conviction of any subsequent offense shall be punished by a fine of not less than five hundred dollars nor more than one thousand dollars and by imprisonment in the county jail for not less than six months nor more than twelve months.

Section 9 Evidence

In any proceeding under this act either for the collection of a penalty or a prosecution for a misdemeanor the certificate of the Secretary of Agriculture under the Seal of the Department of Agriculture shall be accepted by justices of the peace aldermen and courts of record as evidence of the granting of licenses to manufacture or sell oleomargarine or butterine or of the fact that no such license has been granted to any particular person firm or corporation.

Section 10 Enforcement of Act Rules and Regulations

The Department of Agriculture is charged with the enforcement of the provisions of this act.

The Department is authorized to adopt and promulgate such rules and regulations as are necessary for the proper enforcement of the provisions of this act.

Section 11 Revocation of Licenses

The Department of Agriculture is hereby authorized to revoke any license for cause including instances where the license was obtained by fraud.

Section 12 Unlawful Advertising of Oleomargarine or Butterine

It shall be unlawful for a person copartnership association or corporation or for any agent servant or employee of such person or for any member agent servant or employee of any such corporation to advertise for any purpose whatsoever in any newspaper periodical or magazine or upon any handbill or sign or upon any billboard or

by signs or otherwise in or upon or in connection with any premises or to advertise or designate upon any package carton tub or other container any substance article product or compound made wholly or partly out of any fats oils or oleaginous substances or compound thereof designated under the laws of the Commonwealth as oleomargarine or butterine unless such advertisement or designation shall distinctly and clearly set forth the character of such substance article products or compound by the use of the word oleomargarine or the word butterine and it shall be unlawful to use in any such advertisement or designation on or in connection therewith the word "butter" or any word such as "Holstein" "Jersey" or "Guernsey" or any other word which is commonly used as designating a known breed of cows.

Section 13 Constitutional Construction

It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

Section 14 Effective Date

This act shall become effective the first day of July A D 1947.

Section 15 Acts specifically repealed

The Act of May 29 1901 (P. L. 327) as amended and its supplement the Act of May 10 1921 (P. L. 467) are hereby specifically repealed except insofar as necessary to sustain or maintain the validity prosecution or enforcement of any action for the enforcement of said acts which may be pending upon the effective date of this act.

And said bill having been read at length the third time, And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. RAHAUSER. Mr. President and gentlemen of the Senate: when I campaigned for this seat in the Senate, I promised many people in my district that I would do all in my power, if elected, to repeal the margarine laws.

Inasmuch as Senate Bill 644 is attempting to place more restrictions on the distribution of margarine, I feel that I must say a few words against this bill.

What interests the butter trust may have in this legislation, or what contentions the manufacturers of margarine may have, is not my particular concern. My particular interest is representing the constituents of my district, who demand repeal of laws that bar margarine distribution.

They know that only ten per cent of all the retail dealers of food in Pennsylvania are licensed to sell margarine, whereas, in our neighboring state of Ohio, where no taxes on margarine are imposed, nearly ninety-nine per cent sell margarine. They know that in Pennsylvania the consumers in neighborhoods of small groceries must go out of their way or do without this product.

They, likewise, know that the Department of Agriculture of this state, in its general powers, has a right to make rules and regulations, including the adoption of all definitions and standards as shall be necessary for the enforcement of the laws of this Commonwealth relating to pure food including oleomargarine. See *Purd.* 71, Sec. 445.

They, likewise, know that the general food laws are ample for protecting the public, and they can not understand why this surplus legislation should remain on the statute books, and they certainly will not be able to

understand why the Senate of Pennsylvania is busy passing this unnecessary law when there are so many important things for it to do.

Senate Bill 644, that we have before us, should not be passed.

Section 2 provides for a license, thus calling into play the police power of this State on a subject that does not necessitate the operation of police power.

The Supreme Court has consistently thrown out this type of legislation. In *Commonwealth v. Zasloff*, 338 Pa. 457, the Supreme Court said:

"The exercise of police power must not be arbitrary, unreasonable or patently beyond the necessity of the cause."

I have previously shown, by facts and figures, that the necessity of the cause relating to oleomargarine does not warrant the enactment of a license fee. I have shown that there is ample authority, in both the Administrative Code and the Pure Foods Act, to deal with this problem, without the enactment of this statute. I have shown the fact that there has been no enforcement problem for fifteen years. It would seem that this proves that this act should not be passed; and rather, that existing laws should be repealed.

Section 3 of the Act prohibits the sale of colored oleomargarine. Surely it can not be said that this prohibition in the act is necessary to enforce the statute, or that it is necessary in order that oleomargarine is not sold instead of butter. To say that the prohibition is necessary for proper enforcement, is to say that the state is incapable of enforcing its own statutes.

Everyone knows that the proper method of enforcing such an act is by chemical analysis, and not by color. Everyone knows the only reason for a prohibition against coloration is to keep oleomargarine from competing with butter, and not because any coloration is necessary to distinguish the two products.

It is the use of the legislative arm of the government to prohibit competition, a thing which the American people have always fought.

The Supreme Court of the United States said, in the famous *Emory* case:

"In some cases the exercise of the police power results in advantage to a particular class of citizens and to disadvantage of others. When that is the principal purpose of the measure, courts will look behind even the declared intent of Legislatures, and relieve citizens against oppressive acts, where the primary purpose is to the protection of the public health, safety, or morals."

How could the primary purpose here be the protection of the people?

Section 6, the record section, requiring retailers to keep books in the form prescribed by the department and notation of all receipts of margarine, is an odious section. Was it not sufficient, if records of receipts are necessary—which we deny—to state that fact? The words "Forms prescribed by the Department" are words of regimentation.

Making it an offense for the little grocery store dealer, who knows nothing of bookkeeping, to be guilty of a

misdeemeanor because he does not keep his receipts of oleomargarine in a particular form, is surely not our idea of a good law. This is typical of the act, however.

The prescribing of rules and regulations that purport to protect the health of the people, when in reality they operate as a bar to free commerce, and what is worse, free commerce in the distribution of a healthful food product, is not proper legislation.

The people of my district are opposed to this type of legislation, and I am asking my colleagues and my party to vote down this type of legislation.

Sponsors of this discriminatory legislation are alleged to be friends of the farmer, when, in reality, the opposite is the truth.

For the production of its component parts, milk, cottonseed oil, soy bean oil, corn and peanut oil, vast acreages are tilled.

The following estimate shows the component parts of margarine, and the approximate acreage used in producing this product.

Approximately 10,000 acres of cotton seed; approximately 10,000 acres of soy beans; approximately 20,000 acres of corn; approximately 10,000 acres of peanuts; and 1,500,000 head of cattle.

A little more detailed story shows why the dairy trust is in favor of this legislation, and not the farmers. Let us analyze the crocodile tears of the dairy trust:

They have gone before legislative bodies and testified that butter is the "balance wheel" of the milk industry and that if its pre-eminent position as a table fat were endangered, whole sections of our country would be impoverished. This sounds like an important social argument until it is made clear that butter, far from being the main hope of our dairy industry, is really its end product. The industry turns into butter only that milk which it can not sell as fluid milk, as cream cheese or ice cream.

The reason is obvious. Milk sold for fluid consumption brings about \$5.02 per 100 pounds; that sold for cream \$2.65; that for ice cream \$4.11; and that which goes into butter only \$3.76. Naturally, much milk that goes into butter could not, because of its geographic origin, find a ready market as fluid milk. But with modern transportation and food preservation, this represents a much smaller percentage than ever before.

Thus the dairy trust's effort to make the butter-margarine issue a contest between the farmers who derive their income from milk and the much lesser number who raise cotton seed and vegetable oil for margarine, is obviously little more than an attempt to befog the question. There is no real quarrel between the two classes of farmers. The country needs all the raw material it can produce. In fact, if increased use of margarine resulted in larger amounts of fluid milk becoming available, we should all benefit from a greater supply of protein, calcium, phosphorus and riboflavin, which whole milk does so well provide.

As was stated by Anthony J. Carlson, Ph. D.; M. D., Department of Physiology, University of Chicago:

"I can not refrain from recording my disapproval of the consequences of the trade fight of the dairy industry on the producers of wholesome margarines,

whether these be mainly made from vegetable oils, or from vegetable oils and animal fats, for this is a fight on our fellow citizens with the lowest income. The dairy industry can and should stand on its own feet, as it produces some of the finest and most valuable foods for man: milk, butter and cheese. But, to my way of thinking, it is unpatriotic and short-sighted of this industry to place an additional economic burden on the lowest income group in our nation. For the nutritional welfare of the people in the lowest income group we should not step up the price of the margarines by special taxes. These people would be better off in health by buying and eating two to three pounds of good margarines at about the price of one pound of winter butter. For such a wholesome food as good margarines can be produced and distributed at a lower cost than butter, and can be so fortified with the vitamins normally occurring in butter as to be practically equivalent in nutritive value to butter. What difference does it make to human nutrition whether vitamin A or the pro-vitamins A are added to an animal fat like butter by the physiological processes of digestion, absorption, and milk secretion of the cow or goat, or whether these same vitamins or pro-vitamins, all of them produced by the vegetable kingdom, are added to other animal or vegetable fats by the growing ingenuity and chemical skill of man? In my judgment, this fight and the laws, state and federal, resulting therefrom, are not in the interest of adequate national nutrition and national defense."

Senate Bill 644 is not proper or beneficial legislation, and should be defeated.

Mr. WADE. Mr. President, since the opening of the present session, members of the Legislature have been bombarded by a campaign of propaganda in favor of repealing the oleomargarine laws of the state. There has been a great deal of argument as to why this should be done. However, it seems to me that not one sound reason has been advanced for pursuing such a course. To my mind, there is every reason why these laws should remain in full force and effect.

Those who are criticizing the farmers because they want these laws retained on our statute books, those who call these producers of genuine dairy products "selfish and arrogant," either do not know what they are talking about, or they have never heard of the conditions that existed prior to the enactment of these laws. They are apparently unaware of the debt society owes to the farmers for the reforms represented by the regulatory oleomargarine laws and the pure food and drug laws which followed. As Mark Sullivan, one of the ablest and most impartial writers of the present day, who, incidentally, is a Pennsylvanian, tells us in his splendid history, "Our Times":

"The suspicion that something very wrong was going on in food, drink, and medicines, the resentment against it, and the effort to overcome it, began with the farmers. Farmers made butter, which came from cows. Beef packers manufactured oleomargarine, which came from cattle also. (Or now we are told perhaps vegetable fats) Oleomargarine, according to the manufacturers, was just

as good as butter; but many of the makers, as if they had some native preference for indirection, wanted to sell oleo not as oleo but as butter. Oleo, naturally almost as white as lard, was colored with dyes so as to give the consumer an exceptionally vivid suggestion of cows grazing in sunny fields of buttercups."

Continuing, Mr. Sullivan says:

"The farmers, in order to protect themselves, in the states where they were politically powerful, brought about the institution of departments of agriculture in state governments, with chemists and law officers whose business it was to ferret out and pursue imitations of butter, as well as adulterated butter. This function led naturally to an official curiosity about other adulterated or artificially colored food products, and substitutes for food products, and ultimately about drugs and medicines. By 1900 several states had official departments of food and drugs, devoted to analyzing products on sale in the state.

"This farmer movement was the beginning of food analysis in the United States, of food analysis, that is, by public officials and in the public interest. The state chemists were, so to speak, counter-chemists, devoting themselves to unearthing the practices of those chemists who had sold themselves into the service of the food adulterators. The state chemists, and the little staffs they build up around them, had several especially pregnant effects; they developed a technique of food analysis, of discovering adulteration and identifying the adulterants; they induced the state legislatures to enlarge the pure food statutes to include all kinds of food, in addition to butter, and secured increasing appropriations for enforcement; that caused the formation of local, municipal boards of health, and the passage of city ordinances requiring higher standards of purity, especially for milk. By their activities they stimulated popular interest in sanitation."

A man who appeared before the committee stated that in Pittsburgh alone, the infantile mortality was reduced from thirty-seven out of one hundred to something like twelve out of one hundred.

The discoveries that these state chemists, appointed at the behest of the farmers, made in the field of processed foods were truly astounding and shocked the conscience of the entire nation. All kinds of processed foods were doped and adulterated in the most shameless manner, and it was estimated that the average person eating three meals a day was getting forty doses of chemicals and dyes with the food he ate. To keep food from spoiling it was common practice to use formaldehyde, which is another name for embalming fluid. Coal-tar dye, sodium sulphite borax, methyl alcohol, salicylic acid, copperas, and various other dyes and chemicals were used in doping and adulterating the daily food of the people. All this came to a welcome end with the enactment of the National Pure Food and Drugs Act, which had the active backing of the farmers of the country, and which was signed by President Theodore Roosevelt in 1906."

In the light of all this, who shall say that the farmers are arrogant and selfish when they oppose the repeal of our oleomargarine laws, which at one and the same time protect the producers of genuine dairy products, besides safeguarding the consumer against fraud and deception?

Who wants to go back to the conditions that existed half a century ago, with fraud, adulteration and deception running riot in such an important matter as the food and drink of the people?

The farmers of Pennsylvania and of every other state are opposed to that. Intelligent consumers are likewise against the taking of such a backward step. So should honest manufacturers and dealers in food and food products be opposed to it.

The repeal of our oleomargarine laws, which has been so persistently urged upon the Legislature by those who expect to profit by it, would indeed be a backward step, and it would no doubt be regarded as an invitation to repeal or emasculate other laws that have been enacted to protect the public interest and to promote fair and honest dealing.

Nobody denies that if people want to buy oleomargarine in preference to butter, they have a right to buy it. On the other hand, if people want butter, they are entitled to get that for which they pay, and not a cheaper substitute, or an imitation product.

Now, why should dealers in oleomargarine be licensed? The answer is that they are handling a product which readily lends itself to fraud and deception. Assuming that the big majority of dealers are honest, which is no doubt the case, the fact remains that there are some dishonest men in all walks of life, and it is necessary for society to protect itself against them.

To make sure that the public is not being imposed upon and robbed, it is necessary to inspect and police this business. There is no reason why dealers who are honest should fear such inspection and supervision. They should welcome it, just as a public official who keeps his accounts straight should welcome an auditor when he comes to look over his books and vouchers.

Then, again, as the state inspectors make their rounds, it is important for them to know who the persons are that are handling oleomargarine, and where to locate them. There are some thirty thousand retail food outlets in Pennsylvania. If it were necessary to visit every one of these places to guard against violations, the costs of inspection would necessarily be very great. Licensing the dealers, therefore, simplifies the problem and makes supervision less expensive than would otherwise be the case.

The claim that it places a stigma on dealers in oleomargarine when they are required to take out a license is utterly without justification. As is well known to informed persons, the state licenses ice cream and beverage plants, bakeries, slaughter house, cold storage and locker plants and many similar establishments. We also license barbers, beauticians, nurses, medical doctors, dentists, osteopaths, chiropractors, insurance agents and others who serve the public.

Furthermore, milk dealers and producer-distributors of milk must take out a license under the Pennsylvania Milk Control Law. The fee ranges from one dollar a year for those who produce and distribute from one to twenty pounds of milk per day to sixty dollars a year for those who produce or sell from 4,000 to 5,000 pounds of milk a day. The maximum fee for distributors is \$5,000 a year, as was stated yesterday by Senator Heyburn. In view of these facts, it is easy to be seen that oleomargarine

dealers are not being discriminated against when they are required to take out a license.

Let us next consider the somewhat extravagant claims that oleomargarine manufacturers and dealers are making about the value of domestic farm products entering into the commodity they have to sell.

Verily, under the conditions that have existed since the outbreak of World War II, they have made a virtue of necessity in using domestic farm products. Formerly the chief ingredient in the manufacture of oleomargarine was cocoanut oil, which came in free of duty from the Philippine Islands. The war shut off the supply of these imported oils, and there was nothing else to do but to use domestic farm products if any oleomargarine was to be made at all.

Besides, practically all of the southern states imposed a tax on the sale of oleomargarine containing imported ingredients. Now that cocoanut oil will again be available soon, there is a campaign being waged to induce the southern states to repeal the tax to which reference has been made. Arkansas has already fallen into line on this proposal. Other states are being urged to follow suit. It is easy to understand who is back of this movement. It is the twenty odd manufacturers of oleomargarine. Just as soon as they can get cocoanut oil again at even a fraction of a cent a pound less than the cost of cottonseed oil or of soybean oil, they will use cocoanut oil, just as they did in the past.

Aside from all this, careful calculations show that the value of farm products used in manufacturing oleomargarine dwindle into utter insignificance when compared to the income received by farmers from the sale of milk and cream.

Taking a few specific examples, and using as a guide a chart published by the National Association of Margarine Manufacturers, in 1942 the farmers of Vermont received \$924,000 from the sale of butter and cream. During the same year Vermont's share of farm produce used in making oleomargarine reached the munificent sum of fifty-two cents.

During the year in question, the farm value of butter and cream produced in Iowa was \$78,671,000. The farm value of oleomargarine ingredients from cattle, soybeans, and corn oil was \$3,327,627, leaving a balance of \$75,343,373 in favor of butter and cream.

In Louisiana, in 1942, farm value of butter and cream produced was \$2,121,000. The value of oleomargarine ingredients from cotton, corn, peanuts and soybeans was \$739,648, leaving a balance of \$1,381,352 in favor of butter and cream.

Here in Pennsylvania, where we have one million dairy cows, the gross farm income from dairy products in 1942 was \$153,247,000. If our farmers had received their proportionate share of income from products used in making oleomargarine, they would have realized \$72,000, leaving a balance of \$153,175,000 in favor of butter and cream.

In the light of these figures, what is the use of placing such heavy emphasis on the income that farmers are supposed to get from the sale of products used in making oleomargarine? If there were any substance to these claims, it is safe to assume that the farmers would be the first to know about it.

The makers of oleomargarine, of whom there are less

than two dozen in the whole United States, and I understand none in Pennsylvania, are doing their best to stir up public indignation by referring to the license fee as a tax on the food of families with low incomes, which is not so. While speaking of taxes, however, the oleomargarine interests are careful not to mention the fact that there is a federal excise tax of fifteen cents a pound on all imported oleomargarine, in addition to any duty that may be imposed. This tax is solely for the benefit of domestic manufacturers of the product. It gives them a complete monopoly of the American market, because foreign manufacturers could not possibly pay such a tax on a low-cost commodity in the effect to compete with American manufacturers.

In the effort to make it appear that no supervision on the part of the state is necessary in the handling of oleomargarine, spokesmen for the manufacturers and dealers point to the comparatively few prosecutions for violations that have taken place in Pennsylvania during recent years.

The chief reason, however, why there have not been more violations and prosecutions is that an honest effort has been made by the Department of Agriculture to enforce these laws.

Nevertheless, violations occur from time to time. For example, the report of the Commissioner of Internal Revenue for the fiscal year ending June 30, 1946, shows that the sum of \$1,443.25 was collected from the sale of yellow oleomargarine in Pennsylvania. Since the sale of yellow oleomargarine is prohibited by state law, somebody violated the law by selling more than 14,000 pounds of the product in Pennsylvania in that single year. Reports of the Commissioner of Internal Revenue show that in fourteen different years since 1920 colored oleomargarine has been sold in this state in violation of law.

A former official of the state, testifying for the oleomargarine interests at a recent hearing, declared that more violations had been found in the handling of butter than in the case of oleomargarine. If that statement be true, perhaps the explanation may be found in the fact that the volume of butter sold in the state is much larger than the sales of oleomargarine. In any event, the witness failed to say whether it was the producers of butter or the dealers who were guilty of the violations he mentioned.

Turning from such details to some of the broader problems involved in considering this legislation, let me say that the most precious inheritance we received from the distant past is the fertile soil.

Animal husbandry and the maintenance of soil fertility go hand in hand. Any attempt to farm without livestock breaks the immemorial rhythm of nature: up from the soil and back to the soil.

The oleomargarine industry, while entitled to fair and considerate treatment, plays no part in this picture.

Certainly it would not be in accord with sound public policy to place the producers of genuine dairy products at a disadvantage in meeting the competition of oleomargarine, which is an imitation product. Every effort has been made by the manufacturers of this product to make it look like butter, smell like butter, and taste like butter, and their latest claim is that it is impregnated with vitamins found in butter. The history of the indus-

try, covering a period of about seventy years, shows conclusively that without stringently enforced laws, oleomargarine would also be sold to the general public as butter.

That is why I am in favor of the pending bill to regulate and supervise the sale of this product in Pennsylvania.

Mr. HOLLAND. Mr. President, first I want to compliment the lobby from Washington which wrote the presentation as given by the gentleman from Cumberland, Mr. Wade.

This article, too, was written by someone else, but it was written by a group that represents the people, it is presented by Donald E. Montgomery, consumer counsel for the C. I. O.

Margarine legislation, both state and federal, belongs to the middle ages. It ought to go back where it came from. It is a hangover from the feudal system under which guilds and masters controlled markets according to the power and prestige they could muster. After winning a war for a variety of freedoms, it is out-of-date, to say the least, to be arguing about legislation which, to protect one commodity from the competition of another, and for no other purpose, perverts the public powers of State Government.

What other purpose can these State taxes on margarine have?

Some years ago, according to butter propaganda, they were necessary to protect consumers from a filthy product, cocoanut oil. Whether that was ever true, it is not true today. Margarine is subject to the same food and drug regulation and inspection as any other food. Its manufacture is more concentrated, therefore more easily supervised, than most foods. The experience of food and drug administrations, according to their published reports, suggests that their greatest problem in protecting consumers from filth in food arises not with respect to margarine but with respect to butter. In any event discriminatory taxes offer no solution to that problem.

The butter propagandists also argue that margarine should be penalized by the government because it is an imitation of butter. Certainly that is what it is, or should be permitted to be. Margarine should be permitted to imitate butter as closely as possible, including its color, because butter is a delicious food and margarine is a cheap one. We want cheap imitations of good products, all we can get of them, so long as there is anyone left living in these United States who feels any pinch whatever in the pocketbook. Imitation has been one of the spurs to free enterprise in this country. The automobile started out as an imitation of the horse and buggy, and a poor one. Rayon got its start as an imitation of silk. Now it is imitating wool. Isn't there some byproduct of milk which is now trying to imitate cotton?

Next, it is charged against margarine that it is an artificial product. Whatever that charge of artificiality may mean, certainly it is no crime and is not contrary to the public interest. Anyone who reads butter trade journals will see that butter too has its artificial ingredients, both color and flavor. Consumers are entitled to be informed of artificial factors in the foods they buy, it seems to me, but discriminatory taxation is neither necessary nor effective as a means to that end.

Or is it? Another reason for these taxes is said to be to provide adequate federal regulation of the manufacture, labeling and sale of this product. Maybe this body can find out what the Department of Agriculture does under these statutes to regulate margarine; I have been able to find nothing but a perfunctory collection of taxes. In any event there is no doubt that the Food and Drug Administration is fully competent to protect margarine consumers against adulteration and misbranding, and the Federal Trade Commission to protect them against false and misleading advertising of margarine. Margarine, unlike butter, is not exempt from any of the consumer protection provisions of the Food Drug and Cosmetic Act.

Now comes a new attack upon margarine to make a case for the discrimination against it. Despite the fifteenth century character of these margarine laws, butter propagandists never miss a chance to dress them up in modern togs. Nutrition is the new style. Margarine, we are now told, is inferior to butter nutritionally. The American Medical Association does not accept the proofs of that. The Food and Nutrition Board of the National Research Council says fortified margarine substituted for butter in a mixed diet produces no nutritional differences that can be observed. But what of it? Suppose margarine were grossly inferior to butter nutritionally, and therefore a poor imitation of butter. Is that a reason for placing special taxes on it, or on those who make or sell it? White flour, even when fortified, is not the nutritional equal of whole wheat flour. Nutritionally speaking, coffee is probably a poor imitation of an imitation coffee like Postum. Would you tax flour or coffee on that account?

There can be no argument in the public interest for the continuation of these medieval margarine taxes. But that does not mean that this bill to plan a tax will be defeated. These taxes are only one manifestation of the arrogant and dangerous power long exercised by the butter industry.

These taxes are only one manifestation of that power, but they provide an important keystone to the whole structure. They give governmental sanction and national plausibility to all the other outrages committed by the butter trade against the general welfare.

Mr. WOODRING. Mr. President and members of the Senate, I have never campaigned on a margarine platform, although sometimes it was pretty slippery. I particularly noted the remarks made by the farmer—I mean the gentleman from Cumberland, Mr. Wade, who talked about campaign propaganda and who, from time to time, included in his remarks in debate, last week and again today, statements about seeking the truth. He talks about seeking the truth here on the floor of this Senate, but if there has been any campaign propaganda with respect to the margarine question, it has been a campaign on the part of the dairy trust for the cause of butter, as there has been no propaganda for margarine; there has only been a disclosure of the facts; there has been a disclosure, not only on the floor of the Senate, extending over many weeks, but there has been a full and complete disclosure in many of our national periodicals, no one of which ceases to say that which was said on the floor by an impartial member of the majority party yesterday, that is, that everybody agrees as to the nutritional value of margarine.

I heard Mr. Wade, the gentleman from Cumberland, talk about formaldehyde. I do not know exactly what point that has in this debate, except that it does show the condition of the veins of some of the members of the Legislature—they have been distended with age, they have been thoroughly embalmed with this formaldehyde and we do hearken back many generations when we tried to artificially and surreptitiously put this on the farmers, when it is not the problem of the farmers.

The gentleman from Cumberland, Mr. Wade, continued in his very careful and professionally prepared speech to talk about the farmers—the farmer's butter.

Why, Mr. President and members of the Senate, I come from a rural county. I come from the county of Northampton, where we have good farmers, where we have a rather large dairy industry, and I have yet to know one farmer that makes butter in the county of Northampton, and I dare say the same thing will go for the neighboring county of Lehigh, from whence comes the majority leader. I do not think there is a pound of butter made by the farmers, certainly not for resale.

In my family we make butter three times a week and I know during the winter months that butter gets as white as lard, and if we want nice golden butter, the color of those buttercups Mr. Wade showed us down in the meadow, beside the stream, we have to put coloring matter in it the same as we must color margarine.

Mr. President, I think it is not fair to get up here on the floor of the Senate and talk about campaign propaganda when certainly the facts are all the other way.

Why should margarine be protected by a law of this type? One of my associates just called my attention to the fact that if we take a bottle of cream in one hand and a bottle of milk in the other hand and hold them up, they both look the same. However, Mr. President, there has been no confusion in that respect. People go to the store and they buy milk or they buy cream. When they buy cream they do not know how much butterfat they are getting, they do not know the quality of that cream; they only know it is sold at price levels which have been determined by competition. So there has been no confusion there and there is no confusion in the margarine industry. The only confusion is the raising of this campaign propaganda, delivered by the dairy trust under the guise of the farmers' problem, but this is not the farmer's problem; it is an economy problem and it is one which ought to be faced on its facts.

Mr. RAHAUSER. Mr. President, I would like to say, in answer to the statement of the gentleman from Cumberland, that his remarks reflect an attitude of fifty years ago and reflects probably that he is a member of the status quo party, that they have not progressed and do not know the progress that margarine has made in that period of time, and if the gentleman from Cumberland will come up to date as to the progress that margarine has made, he would probably remove his objections.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,	Donlan,	Mahany,	Wade,
Berger,	Geltz,	Mallery,	Wagner,
Blass,	Haluska,	Scarlett,	Walker,
Carr,	Heyburn,	Snowden,	Watson,
Chapman,	Homsher,	Stevenson,	Wilson,
Crider,	Kephart,	Tallman,	Wolfe,
Crowe,	Letzler,	Taylor,	Wood, L. H.
Doehla,	Lord,	Tyler,	

NAYS—13

Barr,	Jaspan,	Rahausen,	Stiefel,
Dent,	Lane,	Rosenfeld,	Tarr,
DiSilvestro,	Leader,	Ruth,	Woodring,
Holland,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 685, as follows:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the sum of nine million two hundred ninety thousand dollars (\$9,290,000) is hereby appropriated from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for the purchase or condemnation of land and improvements thereon for the construction of new buildings for completion of projects for altering improving adding to or replacing existing buildings for construction of sewage treatment plants reservoirs water supply systems electrical and other facilities for altering improving adding to or replacing existing sewage treatment plants reservoirs water supply systems electrical and other facilities for the purchase and installation of all necessary equipment in new buildings and for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering and surveying fees

Section 2 The amount of the foregoing appropriation to be expended for or upon any project for any particular institution shall be determined with the approval of the Governor by the Department of Property and Supplies after recommendation by the Department of Welfare

Section 3 This act shall be come effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier,	Letzler,	Tarr,

Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Rahausen,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.
Donlan,	Lane,	Stiefel,	Wood, T. N.
			Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 689, on third reading, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROSENFELD. Mr. President, I ask unanimous consent that Senate Bill No. 690, on third reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ROSENFELD. Mr. President, I ask unanimous consent that Senate Bill No. 691, on third reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. GELTZ. Mr. President, I move that Senate Bill No. 713, on third reading, entitled:

An Act creating a commission to make a thorough study of the tax laws of the Commonwealth and of other states and countries in order to ascertain ways and means of financing the Commonwealth upon a more scientific and equitable basis providing for its appointment authorizing the employment of necessary assistants prescribing the powers and duties of the commission and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1335, as follows:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thirty-five million dollars (\$135,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Assistance for the payment of assistance and administrative expenses as provided by the Public Assistance Law and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the Department of Public Assistance for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and administrative expenses attorneys' fees and court costs accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven.

Section 2 Out of the moneys appropriated by section one of this act the Department of Public Assistance shall allocate funds from time to time for the several assistance programs (old age assistance aid to dependent children pensions for the blind general assistance and other programs provided by the Public Assistance Law) for administrative expenses of the several county boards of assistance for such administrative expenses incurred by the department which are chargeable to such boards and for the payment of attorneys' fees and court costs necessary for the proper conduct of the work of the department.

Section 3 Out of the moneys appropriated by section one of this act quarterly allocations shall be made to the Department of the Auditor General and the Treasury Department respectively in such amounts as may be deemed necessary to pay the administrative expenses of such departments in auditing and disbursing appropriations for or relating to public assistance including any Federal sums supplementing such appropriations. In the case of the Department of the Auditor General said allocation shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the Auditor General or a majority thereof and in the case of allocations made to the Treasury Department such allocations shall be made by the Governor President pro tempore of the Senate Speaker of the House of Representatives and the State Treasurer or a majority thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, we of the minority side intend to vote for this appropriation bill because it is necessary that we do so. However, we do believe, before the next session of the General Assembly convenes, there should be something done to stop the exorbitant administrative costs in the Department of Public Assistance. I am speaking now for members of this General Assembly on both sides, who are becoming alarmed at the

increasing rate of administrative costs in the matter of relief expenditures. Something has happened to public assistance in Pennsylvania, something that should warn each and every citizen of this Commonwealth, when we stop to realize that we are spending approximately \$185,000,000 in the next biennium for direct relief in this Commonwealth, at the present rate of expenditure.

If for any reason the depression predicted by Governor Ruff should take place, that figure can easily rise to a point of over \$400,000,000, if the present rate of expenditure is upheld.

I could go back through the years, from 1937, and bring down to date the percentage increases in the administrative costs of relief. However, I know that every member realizes that no matter what is said about the subject today, our hands are tied and we must vote for this appropriation.

I sincerely hope the Joint State Government Commission will initiate a study to see whether or not the plan I have proposed, or any other plan which will serve the purpose, can be introduced at the next session of the General Assembly, to perhaps take categorical reliefs out from under the Department of Public Assistance, setting aside a category for those persons receiving relief who are employable and for that group of relief recipients who are not employable.

I believe the load now being carried by the citizens of this Commonwealth for relief is way out of proportion to the normal expenditures of this Commonwealth in every other phase of government. We are tied up in a knot on the question of educational needs and educational appropriations and requirements. We are discussing the probability of a total expenditure for education of approximately \$224,000,000, and yet we are here spending \$185,000,000 for relief. When one considers the number of families on relief and divides the amount of appropriation by the number of families, he will find the cost way over and above what it ought to be.

In 1933, for instance, we spent \$33,000,000 for relief, to a high in 1939 of \$216,000,000, and yet, if we had the same number of persons receiving relief today as were receiving relief in 1939 to 1941, on the same proportionate share for the individual relief recipient, and the cost of administration for relief, our appropriation at this time would be over \$300,000,000.

We passed a set of taxes known as emergency taxes for the express purpose of carrying the relief load of the Commonwealth. We have allowed these emergency taxes to become permanent taxes, because we have done absolutely nothing to stop this increased administrative relief cost. The total amount of money to be spent by this department—the admitted amount, not counting any hidden expenditures—for this biennium will be approximately \$18,500,000. In 1939-1941, excepting the amount that was given by the federal government and adding that to the amount expended by the state, we had \$256,604,000.

The total administrative cost at that time was \$17,820,000. We admitted then that it was too high. We tried then to cut it down. But let us see what has happened since then.

In the 1945-1947 biennium, the total expenditures were \$169,553,000, \$87,000,000 less than in the 1939-1941 biennium, and yet the administrative costs, not counting the

amounts spent by the State Treasury and the Auditor General's Department, totaled \$16,366,000, or a little over \$1,000,000 less than when we spent \$87,000,000 more for relief. When you consider that the relief grant at that time was approximately sixty-five per cent of what it is today, you can see that we had a larger number of persons receiving relief, and yet the relief cost per recipient, administrative cost, at this time, is so much greater that the administrative cost alone is over sixty per cent of what the total relief burden was in 1931.

Something must be done. This General Assembly must set aside its partisanship in this particular field. We must do that if we are to survive under the load that is being heaped upon the shoulders of the taxpayers of this Commonwealth.

Mr. President, no man in this Senate wants to see any citizen of this Commonwealth go without food or shelter or clothing, but no member of this Senate wants to set up upon the body politic a scavenger such as this, that will destroy the very foundations of our government. We must do something. We must do it in conjunction or we must do it as an individual party. I am not going to condemn the present administration for this great evil that has crept upon us, because I do not think any particular administration is guilty in this matter. I think we members of the General Assembly are more to blame than the executive heads of the government because we have allowed a certain group of favored citizens to take charge of a department of state and make it into a private happy hunting ground for a certain group of citizens.

Mr. President and members of this Senate of Pennsylvania, although I am requesting every member of the Senate that belongs to my caucus to vote for this appropriation, If I were to return to the Senate again I will never vote again for a blanket appropriation such as this, unless this department is reorganized or abolished.

Mr. TALLMAN. Mr. President, some time ago the gentleman from Westmoreland raised many of the questions concerning which he has spoken about this afternoon, and I merely want to say, very briefly, several things in connection with his remarks.

I think the Commonwealth of Pennsylvania finds itself in the same position in this respect and on this subject that many other states do, and when he roundly condemns the practices and the methods of administration of this department, one thing to bear in mind is that we became necessarily subjected in a large degree to federal regulation which is imposed upon us in order that we may become the recipient in Pennsylvania of federal funds.

I think, if I recall the record accurately, years ago when this matter of relief was placed entirely at the state level, there were remarks made on the floor of this Senate then that this would be an octopus which would rise up and devour us.

Now we are faced with the situation where we have this matter of relief at the state level entirely. There is a grave and serious question, and it has been a persistent question, as to whether or not that ought to continue and there is the question as to whether or not, as it was then stated, this matter of relief should not have

However, for the sake of the record and so that we may been kept at least partially at the local level.

not be faced with this situation appearing to be one over which there is entirely no control, and in order that the record may accurately reflect what the situation is, I have secured some information which I think will be enlightening on the subject.

I am advised, Mr. President, that in the period 1938-1939, for instance, the cost of the Auditor General was approximately four cents per case which was then on the public assistance rolls; as of April of this year that cost has been increased to ten cents per case. That reflects an increase in cost of approximately one hundred-fifty percent.

Mr. President, I just want to say, so that there may be no misunderstanding, I am not reflecting on anyone's ability to do the job nor upon the method by which they do it—and I say that specifically about the Auditor General—but I think the increase in the Auditor General's costs reflect exactly what every department of the state government is faced with, that there are increased costs in salaries, reflected in the raises which were given to the people working in those departments over the last several years and another increased cost, which will be reflected in increased salaries which are contemplated to come about at the beginning of this next biennium. Mr. President, I think that picture reflects itself generally in this entire situation.

I understand, Mr. President, and am advised that the costs of the State Treasurer have remained rather constant at roughly thirty cents per case.

One point the gentleman from Westmoreland fails to call attention to in this matter of costs, and so long as we are going to have it at the state level, it seems to me an unalterable condition, is that a great portion of this cost, which he translates into active cases, must necessarily reflect the burden of cost which comes out of the many cases investigated but which do not receive any aid, and therefore it seems to me it is not quite fair to translate, or attempt to translate the entire cost as being applicable to those cases which actually receive aid and are reflected as being cases on the rolls of the department.

So far as the actual cost is concerned in the number of cases handled, I am advised that in the years 1938-1939 the cost was a little bit less than \$3 per case, and at the present time, that is, as of April of this year, it was a little over \$4 per case.

Mr. President, I suggest on the broad basis of applying the entire cost over the entire operation of the department, including the many cases that have been investigated and which receive no aid, it is not a cost which reflects either overindulgence on the part of the department nor a lack of care in the management of the department.

Mr. President, I merely want to place these matters on the record so that we can be clear in our approach to this situation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,
Becker,
Berger,

Farrell,
Frazier,
Geltz,

Leader,
Letzler,
Lord,

Tallman,
Tarr,
Taylor,

Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Doehla,
Donlan,

Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,

Mahany,
Mallery,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,

Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 373 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. BECKER. Mr. President, I call from the Third Reading Postponed Calendar Senate Bill No. 373, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 373, as follows:

An Act to further amend section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred twelve of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation con-

ferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-five (P. L. 369) is hereby further amended to read as follows

Section 1412 Merger Consolidation or Conversion of Banks or Bank and Trust Companies into National Banks A One or more banks or bank and trust companies and one or more national banking associations operating under the laws of the United States may pursuant to the laws of the United States be merged into one of such national banking associations or consolidated into a new national banking association operating under the laws of the United States and a bank or bank and trust company may pursuant to the laws of the United States be converted into a national banking association provided that the banks or bank and trust companies participating in such a merger or consolidation and the bank or bank and trust company being converted into a national banking association shall comply with the following requirements established by this section

(1) The plan of merger or consolidation or of conversion has been approved in the manner and after the advertising and notice required by this act in the case of mergers or consolidations of incorporated institutions by at least a majority of all the directors of any bank or bank and trust company participating in such plan and by the holders of two-thirds of its outstanding shares entitled to vote thereon

(2) In the case of any bank and trust company participating in such plan or merger or plan of consolidation or plan of conversion all corporations or persons who appear upon the available books or other records or who are otherwise known to be parties interested in any funds property or investments held by such bank and trust company as trustee guardian executor administrator or other fiduciary under the provisions of this act shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation of incorporated institutions

(3) Whenever a bank and trust company authorized to act as fiduciary in this Commonwealth has heretofore been or shall hereafter be named or appointed trustee guardian executor administrator or other fiduciary such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company with a national banking association or the conversion of such bank and trust company into a national banking association pursuant to the provisions of this act providing that such surviving or new national banking association is authorized to act as fiduciary in this Commonwealth but such surviving or new national banking association shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company could have acted if such merger consolidation or conversion had not been effected

(4) All taxes or fees due this Commonwealth or any of the departments or officials of the State government of this Commonwealth shall be paid in full For the purposes of this clause the taxes imposed by the laws of this Commonwealth on such bank or bank and trust company which have not yet become due that is the amount properly apportionable to the part of the tax period which has already elapsed shall be construed to become due upon the date of such merger consolidation or conversion

(5) The articles of merger or articles of consolidation or articles of conversion corresponding to the articles of merger or articles of consolidation required by this act in the case of the merger or consolidation of incorporated institutions shall be prepared by any bank or bank and trust company participating in the plan of merger consolidation or conversion and filed with the Department of State which shall transmit a copy to the Department of Banking The bank or bank and trust company shall also file with the Department of State the certificate of approval of the merger consolidation or conversion as the case may be by such officer of the United States as may

be empowered by law to approve the same The Department of State shall send a copy of such certificate to the Department of Banking

B No merger consolidation or conversion shall be effected pursuant to this section unless at the time of such merger consolidation or conversion the laws of the United States shall authorize a national banking association to merge into consolidate with or convert into a bank or a bank and trust company with all the property and rights of such national banking association vesting in such bank or bank and trust company in the same manner as is prescribed by this act in the merger consolidation or conversion of national banking associations into banks or bank and trust companies

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,	Farrell,	Lord,	Taylor,
Becker,	Frazier,	Mahany,	Tyler,
Berger,	Haluska,	Mallery,	Wade,
Blass,	Hare,	Rahauser,	Wagner,
Carr,	Heyburn,	Rosenfeld,	Walker,
Chapman,	Holland,	Ruth,	Watson,
Crider,	Homsher,	Scarlett,	Wilson,
Crowe,	Jaspan,	Snowden,	Wolfe,
Dent,	Klein,	Stevenson,	Wood, L. H.,
DiSilvestro,	Lane,	Stiefel,	Wood, T. N.,
Doehla,	Leader,	Tallman,	Woodring,
Donlan,	Letzler,	Tarr,	

NAYS—2

Geltz, Kephart,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS INTRODUCED AND REFERRED

Mr. HEYBURN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN read in place and presented to the Chair Senate Bill No. 818, entitled:

An Act to repeal the act, approved the twenty-third day of May, one thousand eight hundred ninety-three (P. L. 112), entitled "An act to prohibit the use of any adulteration or imitation of dairy products in any charitable or penal institution being supplementary to an act, entitled 'An act for the protection of the public health and to prevent adulteration of dairy products and fraud in the sale thereof,' approved May twenty-one, Anno Domini one thousand eight hundred and eighty-five."

Which was committed to the Committee on Agriculture.

Mr. CARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. CARR, BERGER and WADE read in place and presented to the Chair Senate Bill No. 819, entitled:

A Joint Resolution proposing an amendment to article three, section four of the Constitution of the Common-

wealth of Pennsylvania, requiring bills to be considered on three different days in each House.

Which was committed to the Committee on Constitutional Changes and Federal Relations.

REPORTS FROM COMMITTEES

Mr. STEVENSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STEVENSON from the Committee on Appropriations reported as committed, House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 707, entitled:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts

He also, from the Committee on Appropriations, reported as committed, House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the session of one thousand nine hundred forty-seven.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (Appropriation Acts, page 56) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land, for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings, including a memorial building to honor the memory of William Penn, and other necessary buildings for the State archives, libraries and museum, for the repair, demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension, for the razing of buildings and relocation of water, sewerage, utility lines and other facilities, or payment to the City of Harrisburg for such relocation, and for grading, paving and otherwise developing Capitol Park and the Capitol Park Extension"; by reducing the amount appropriated by said act.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred forty-seven, and such time as the funds provided by the General Appropriation Act become available.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts."

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 596, entitled:

An act to further amend section four hundred forty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing appropriations for support of tuberculosis sanatoria.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration, preservation and improvement of Drake Well Memorial Park, birthplace of the petroleum industry.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts, page fifty-five), entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings, for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap, for post-war repairs to monuments in France and Belgium, and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation"; by reducing the amount appropriated by said act.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 182, entitled:

An Act to further amend clause (c) of section nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the qualifications relating to pensions of blind persons

He also, from the Committee on Appropriations, reported as committed, House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission.

He also, from the Committee on Appropriations, reported as committed, House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

Mr. GELTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ, from the Committee on Finance, reported as amended, Senate Bill No. 783, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns of reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," providing for resettlement, review and appeal in certain cases of domestic bonus disputes.

SENATE BILL No. 477 RECALLED FROM THE GOVERNOR TAKEN FROM TABLE

Mr. CARR. Mr. President, I call from the table, Senate Bill No. 477, Printer's No. 143, recalled from the Governor for amendment, for consideration at this time.

RECONSIDERATION OF SENATE BILL No. 477

Mr. CARR. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 477, entitled:

An Act to amend sections three four and nine of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 808) entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes either by the Department of Property and Supplies or the General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties" further providing for the mental examination of juvenile delinquents and their release or retention

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. CARR. Mr. President, I voted with the majority.

Mr. STEVENSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. STEVENSON. Mr. President, I voted with the majority.

The motion was agreed to.

Mr. CARR. Mr. President, I ask that the bill be placed on the Final Passage Calendar.

The PRESIDENT. The bill will appear on tomorrow's Final Passage Calendar.

SENATE CONFIRMS HONORABLE DANIEL B. STRICKLER AS COMMANDER, 28th DIVISION

Mr. TALLMAN. Mr. President, advice has come to the members of the Senate this afternoon that the distinguished Lieutenant-Governor of the Commonwealth of Pennsylvania, a very great soldier and fine citizen, has been elevated to command the justly famous 28th Division.

Mr. President, I move that the Senate do now advise and consent to the advancement of Lieutenant-Governor Strickler to Commanding Officer of the 28th Division.

Mr. DENT. Mr. President, I want to second that motion. I might say that if I would have had my way last year, the Chair would have had more time for the job as Commander of the 28th Division.

However, I want to join with all his well wishers and also state that he can handle both jobs ably, conscientiously and well.

The PRESIDENT. The Chair appreciates very much this recognition on behalf of the members of the Senate. I know of no group that I hold in higher esteem than you gentlemen.

I do want to say to you that I have been long engaged in the soldiering game—it was thirty-one years ago when I entered the 28th Division as a private, and I have come up from the ranks and served in two wars and in the last war I commanded the 109 Infantry part of the time in combat, and I commanded the 110th Infantry part of the time in combat and have acted as Assistant Division Commander, and now Division Commander.

I appreciate the honor the Commonwealth has bestowed upon me in appointing me to this position of Commander of the 28th Division.

I hope, gentlemen, this summer when we go into encampment at Indiantown Gap, that you gentlemen will come out and visit us and we will show you there how we operate.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—49

Barr,	Farrell,	Leader,	Tallman,
Becker,	Frazier,	Letzler,	Tarr,
Berger,	Geltz,	Lord,	Taylor,
Blass,	Haluska,	Mahany,	Tyler,
Carr,	Hare,	Mallery,	Wade,
Chapman,	Heyburn,	Rahausen,	Wagner,
Crider,	Holland,	Rosenfeld,	Walker,
Crowe,	Homsher,	Ruth,	Watson,
Dent,	Jaspan,	Scarlett,	Wilson,
DiSilvestro,	Kephart,	Snowden,	Wolfe,
Doehla,	Klein,	Stevenson,	Wood, L. H.,
Donlan,	Lane,	Stiefel,	Wood, T. N.,
			Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

The PRESIDENT. The 28th Division and the Governor will be advised accordingly.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 8, entitled:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 92, on second reading, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 93, on second reading, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 101, entitled:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employees in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 161, entitled:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her Allies during World War II providing the method of making payment to representatives of persons who, because of death or incapacity, cannot personally receive compensation; imposing certain duties on the Adjutant General; making an appropriation; and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 172, entitled:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 195, on second reading, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 206, entitled:

An Act to amend section two of the act, approved the third day of May, one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State; and providing for their publication and distribution," by increasing the number of copies to be published

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to certain persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment to use membership qualifications as a means of limiting the number of employes available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employes creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the Bureau of Police in cities of the second class providing a pension fund for said employes and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and disposition of said funds providing for the payment into this fund by cities of the second class of all monies hereto-

fore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of a common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employes to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining the scope of collective bargaining.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 500, on second reading, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 533, entitled:

An Act to amend the title and act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by extending the provisions of the act to retention in public positions or on public works in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 601, on second reading, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 634, entitled:

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 635, entitled:

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing

certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection and certificates.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 645, entitled:

An Act to amend the title and section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Service-men's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" extending the provisions thereof to loans made insured or guaranteed under the "Bankhead-Jones Farm Tenant Act" and other Federal legislation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 577, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 678, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen and subsection (a) of section six hundred twenty-one point one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining group life insurance and group accident and health insurance to include trust funds established by employers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 715, on second reading, entitled:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 723, on second reading, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 726, entitled:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries

the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 741, entitled:

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by requiring depositories of city funds and other funds for which the city acts as custodian or trustees to give security and defining such security.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 762, entitled:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two percentum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and borough within this Commonwealth" by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employes in fire departments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RAHAUSER. Mr. President, I ask unanimous consent that Senate Bill No. 771, on second reading, entitled:

An Act to further amend section seven and to amend section eight of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items held by any administrator or executor trustee fiduciary depository of the court receiver or other officers of the court which are escheatable may be joined in one action of escheat and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held and further providing that the Attorney General or any other person authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator and further providing that the court may make orders relative to advertising and notice of the proceedings whether the escheatable property is real or personal.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 778, on second reading, entitled:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of

certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institutions districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institutions districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 779, entitled:

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting martial relations prescribing grounds and proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 792, on second reading, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers requiring an affidavit of the consideration received before a new certificate of title is issued providing for the revocation of dealers' licenses and imposing penalties for violations.

go over in its order.

The PRESIDENT. Is there objection?

Mr. JASPAN. Mr. President, I desire to interrogate the majority floor leader.

The PRESIDENT. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. TALLMAN. I will, Mr. President.

Mr. JASPAN. Mr. President, will the majority floor leader tell me why he is putting this bill over in its order.

Mr. TALLMAN. Mr. President, I have been requested that Senate Bill No. 792 go over in its order by members of the Republican caucus, because they wanted some opportunity to study the bill and because the bill was not on our desks in our caucus and not available to us.

Mr. JASPAN. Mr. President, I had it on my desk today at one o'clock

I can appreciate the fact that they have not had opportunity to study the bill as it is but, frankly, this matter has been advertised and publicized now for the last week or two in various papers.

However, Mr. President, unfortunately it has come to pass that certain manufacturers and dealers are trying to block progress of this bill. I see no harm in this bill passing second reading and going over to third reading, where it can be discussed at length and if anything in it needs to be amended, the amendments can be made on third reading.

This bill has been prepared at my request and at the request of the gentleman from Delaware, Senator Heyburn, it has been put in proper form by the Attorney General to meet every constitutional objection, to prevent the unsuspecting public from being imposed upon by unscrupulous dealers.

It seems to me now, Mr. President, that the manufacturers are coming into the picture and hence I take it are conspiring with these unscrupulous dealers to charge prices over and above list prices.

Everybody is familiar with this bill. There are many members of this Senate who have been imposed upon and taken advantage of and they are ready to vote for this bill.

There is no need to study this bill. We know what it is. We have read about it in the papers, and so we can very well pass it on second reading, leave it go on third reading, and if there is any need for amendments to clarify the language I am perfectly satisfied.

The PRESIDENT. Does the gentleman from Philadelphia object to the bill going over in its order.

Mr. JASPAN. Yes.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Philadelphia.

The PRESIDENT. Will the gentleman from Philadelphia, Senator Jaspan, permit himself to be interrogated?

Mr. JASPAN. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Philadelphia if he recalls the date this bill was introduced into the Senate.

Mr. JASPAN. Yes, Mr. President, on Monday of this week.

Mr. WALKER. Mr. President, this is Wednesday of this week and this bill was immediately reported out of the Committee on Judiciary General and now is on the second reading calendar, which is almost as prompt action as a bill could get under ordinary legislative procedure. There is no attempt on the part of this side to delay action on this bill or to play ducks and drakes with the manufacturers, or with any other people that are involved perhaps in the mechanical end of the bill, but, due to the fact that when we discussed the bill in the Republican caucus, copies of this bill were not available, there are many people who are interested in the bill and would like a chance to read it. The sponsors of the bill may know what is in it but at least members of the Senate have a right to be permitted to read the bill.

Mr. President, I do not think the gentleman from Philadelphia, Senator Jaspan, has any right to suggest we are delaying action on this bill, because within two days after this bill was introduced it appears on the second reading calendar. I think the gentleman from Philadelphia has secured action on this bill that ought to satisfy him and I

do not think it is quite fair to object to the bill going over in its order, so as to give the members of the Senate a chance to read the bill and satisfy themselves as to what is in it. We appreciate the fact that the sponsors read the bill.

Mr. JASPAN. Mr. President, in answer to the remarks of the gentleman from Allegheny, Senator Walker, let me say we could pass this bill on second reading and put it on third reading and leave it remain there until tomorrow, Monday, Tuesday or Wednesday, and still give them an opportunity to read the bill. However, unfortunately in the last few days there have come to the front lobbies, representing both the manufacturers and the used car dealers, doing all they possibly can to block passage of this bill and, as to putting it over, certainly we should not listen to them or pay attention to them. We feel that advantage has been taken of the people long enough and it is high time that something which has been prepared by the Attorney-General, backed by him, introduced by him, should be passed on second reading and certainly put on third reading, where it can remain until such time as those who are not familiar with the bill can read it.

Mr. WILSON. Mr. President and gentlemen of the Senate, happening to be one of those who question what is being done as much as anyone and happening to be one who today in committee, as will be verified, called attention to the fact that this bill was not before us and called attention to the fact that the more haste the less speed, I resent the implication by the distinguished Senator from Philadelphia that somebody has seen us and that there are people and that there are influences, and feeling that perhaps more than any other man and for reasons of my own, not because somebody saw me, I asked to have this bill go over and very kindly the other members of the caucus today protected my action in this Senate.

I feel it is my duty to say to the gentleman from Philadelphia that it might have been better to have asked the different members of the Senate whether they had been seen, rather than indicate it, and therefore I ask now that the gentleman from Philadelphia extend the same courtesy to me that I would extend to him if he asked that a bill go over upon a reading, a reading upon which it is proper and right to introduce amendments when you think it is necessary.

I say this, that I am willing to stay here tonight, I am willing to stay tomorrow, I am willing to keep coming here—I have missed no meetings except the one day in which I met with serious injuries—and I do say now, not with a feeling of resentment, because this gentleman has my respect and I know he is in earnest, but it is not just real nice to accuse men who are trying to do their duty, to do this work and trying to protect a fellow Senator who asked that the bill go over in order.

Mr. President, I now call upon Senator Jaspan, as a special favor to the Senator from Jefferson, to allow this bill to go over in its order until I can read it. It was just placed on my desk a few minutes ago.

Mr. JASPAN. Mr. President, in view of the request made by the Senator from Jefferson, I will withdraw my objection.

However, let me say one thing: there has been too much interference with this bill by both the dealers and the manufacturers and they are moving heaven and earth to block passage this bill.

I am very glad to go along with the request of the gentleman from Jefferson but mark my word, Mr. President, they are going to move heaven and earth within the next few days to see that this bill is defeated or that it goes back to committee.

Mr. WILSON. Just one word, Mr. President. I want to thank the Senator from Philadelphia and call attention to the fact that if any of those people who are moving heaven and earth, either for or against this bill, come to see me, I think the Senate knows about how they will be received. Thank you.

The PRESIDENT. Objection having been withdrawn, the bill will go over in its order.

BILL RECOMMITTED

Mr. BECKER. Mr. President, if it is any comfort to the Senator from Philadelphia, Mr. Jaspan, I also had a bill that was introduced Monday afternoon and the second day after that finds this bill on the second reading calendar. My bill also has been interfered with and I am under a mandate from my caucus to move that the bill be recommitted to the Committee on Judiciary General, while his bill remains on second reading.

Mr. BECKER. Mr. President, I move that Senate Bill No. 794, on second reading, entitled:

An Act regulating the procedure for the ascertainment determination and assessment of damages and benefits occasioned by the taking of property when the right of eminent domain is exercised by the Commonwealth.

be recommitted to the Committee on Judiciary General.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 940, entitled:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that Senate Bill No. 983, on second reading, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and

the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," changing the definition of group life insurance

go over in its order.

The President. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1010, entitled:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families for servicemen and to cooperate with the Federal Government for such purpose.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1011, entitled:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness appropriations and all proceedings acts and things heretofore undertaken performed or done with reference thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1021, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureau and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" increasing fees for agents' licenses and imposing a fee for written examinations to applicants for certain licenses

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend sec. 1 (Sec. 211), page 3 line 11 by inserting after the word "each" "relisting for"; amend sec. 1 (Sec. 211), page 3 line 12 by striking out the words "relisting for."

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendments:

Amend title, page 2 lines 4 and 5 by striking out the words "relisting for"; amend title, page 2, next to last line of title, by inserting after the word "for" the words "relisting for."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 1021, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1043, on second reading, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1060, entitled:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State normal schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other Executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administra-

tive officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. CARR. Mr. President, I move that House Bill No. 1062, on second reading, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions, defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by further reorganizing the Department of Welfare, and its boards and officers; creating the Department of Mental Health; prescribing its functions, powers, and duties; and fixing salaries.

be recommitted to the Committee on Public Health and Welfare, for the purpose of holding a public hearing next Tuesday evening at eight o'clock, p. m., Daylight Saving Time.

Mr. BLASS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of House Bill No. 1118, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. TALLMAN. Mr. President, I ask unanimous consent that House Bill No. 1214, on second reading, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and borough and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of House Bill No. 1225, entitled:

An Act to further amend the fifth paragraph of section four hundred seven of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing of certain administrative departments, boards, commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards, and commissions shall be determined," by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

FIRST READING CALENDAR

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 775, entitled:

An Act to further amend subsection (c) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State

government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" conferring additional powers and duties upon the Pennsylvania Labor Relations Board with reference to questions concerning representation of employees for the purposes of collective bargaining

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 801, entitled:

An Act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employees which cause or threaten to cause strikes lockouts slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employees for the enforcement of such public policy and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 826, entitled:

An Act relating to strikes by public employees prohibiting such strikes providing that such employees by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 193) page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the

Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1001, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1076, entitled:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representative of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Mr. TALLMAN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. WALKER. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act to amend subsection (a) of section three hundred seven, subsection (d) of section three hundred ten, and section three hundred eleven of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaging in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the exercise, surrender, or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons, associations, companies, corporations, or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," by applying the prudent investment standard to utility property in fixing rates in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement of Laurel Dam and Laurel Lake of the Commonwealth of Pennsylvania in Cook Township, Cumberland County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 106, entitled:

An Act to amend the title of and the act, approved the twenty-fourth day of May, one thousand nine hundred forty-five (P. L. 967), entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name, style or designation, unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring nonresident applicants to have a resident agent; prescribing the effect of failure to file such application; providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence; requiring county commissioners, at the expense of the county, to provide books or other means of reproduction for the entry of such application; requiring the cancellation of such application or the withdrawal from the business; providing methods therefor; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," including corporations within the provisions thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of a part of the money derived from such increase.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare, for purchase or condemnation of land, for construction of new buildings, for repair and alterations to and replacement of existing buildings, and for architectural and engineering services, fixtures, equipment, sewage treatment plants, water supply, electrical and other facilities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts, page fifty-five), entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings, for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indiantown Gap, for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation"; by reducing the amount appropriated by said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 529, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing agreements between Redevelopment Authorities and local taxing authorities, limit-

ing for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June, one thousand nine hundred forty-five (Appropriation Acts, page fifty-six), entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land, for the preparation of a comprehensive plan for the Capital Park Extension, for the construction of new buildings including a memorial building to honor the memory of William Penn, and other necessary buildings for the State archives, libraries and museum, for the repair, demolition and improvement of existing buildings in Capital Park and Capitol Park Extension, for the razing of buildings and relocation of water, sewerage, utility lines and other facilities, or payment to the City of Harrisburg for such relocation, and for grading, paving, and otherwise developing Capitol Park and the Capitol Park Extension"; by reducing the amount appropriated by said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," authorizing appropriations for support of tuberculosis sanatoria.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," removing the maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 654, entitled:

An Act to reenact section one of the act, approved the twentieth day of April, one thousand eight hundred seventy-four (P. L. 110), entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs, alterations, replacements and improvements to existing plant facilities and equipment, for the purchase or replacement of equipment, furnishings, and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 719, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 783, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns of reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency

thereof, every State depository and every debtor or creditor of the Commonwealth," providing for resettlement, review and appeal in certain cases of domestic bonus disputes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred forty-seven, and such time as the funds provided by the General Appropriation Act become available.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 797, entitled:

A Joint Resolution proposing an amendment to section eighteen, article nine of the Constitution of the Commonwealth of Pennsylvania, authorizing the use of certain revenues for the acquisition of bridges.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 798, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattle or chattels of any kind or description including but not limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" providing that chattel mortgages need not be acknowledged nor witnessed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 812, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may

hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester, Suffolk or Nassau in the State of New York; providing for a Milk Compact Commissioner; designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner; authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk, subject to such federal consent as may be authorized or required by law; providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact; authorizing uniform regulation of prices to be paid producers, as may be provided in any such compact; providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf; providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania, not covered by such compact or order and re-delivered, re-sold or otherwise disposed of, or marketed in any marketing area in the Commonwealth of Pennsylvania, as such prices are fixed by the then existing rules, regulations and prices legally established in Pennsylvania for such area; providing for reports to be made upon request to the Governor of the Commonwealth, and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1, Section 10, Clause 3 of the Constitution of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 954, entitled:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may

exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1013, entitled:

A Joint Resolution proposing an amendment to section one, article nine of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain nonprofit corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1098, entitled:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1099, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and

second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseas guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property or poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the session of one thousand nine hundred forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE RESOLUTION

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

TIME OF NEXT MEETING

In the Senate, May 26, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Mon-

day, June 2, 1947, at three o'clock p. m., Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, June 2, 1947 at three thirty o'clock p. m., Eastern Standard Time.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 305

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled, "Anthracite Coal Mining Law," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 759

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 759, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 492), entitled "An act providing for the temporary appointment of policemen in boroughs, incorporated towns and townships of the first class, for a limited period, without conferring civil service status upon the appointees," permitting the conferring of civil service status on appointees in certain cases.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 1173

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1173, entitled:

An Act to amend the title of and the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest trees seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 654, entitled:

An Act to permit employes of cities (except of the first and second classes), boroughs, towns, and townships to accumulate annual vacation and sick leave in certain cases.

Which was committed to the Committee on Local Government.

House Bill No. 1216, entitled:

An Act to reenact, amend and revise the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act."

Which was committed to the Committee on Local Government.

House Bill No. 1266, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission, preparing and printing a compilation of veterans' laws, furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents, for participation in certain defense activities, for the rehabilitation and care of veterans including the acquisition of land by purchase, condemnation or gift, and construction of buildings for such purpose.

Which was committed to the Committee on Appropriations.

House Bill No. 1301, entitled:

An Act to amend sections three and four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," providing that vacancies on the board of managers shall be filled and persons employed with respect to such halls shall be veterans who were residents of the Commonwealth at time of enlistment or induction.

Which was committed to the Committee on Military Affairs and Aeronautics.

BILLS SIGNED

The PRESIDENT Lieutenant-Governor' (Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 305, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

House Bill No. 759, entitled:

An Act to amend section one of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 492), entitled "An act providing for the temporary appointment of policemen in boroughs, incorporated towns and townships of the first class, for a limited period, without conferring civil service status upon the appointees," permitting the conferring of civil service status on appointees in certain cases.

House Bill No. 810, entitled:

An Act to further amend section one thousand eight hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as last amended, by adding subsection (h) to authorize the Department of

Forests and Waters to acquire by lease, gift, purchase or condemnation lands, buildings and appurtenances thereto for port or harbor purposes.

House Bill No. 890, entitled:

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one, (P. L. 789), entitled, as amended, "Insurance Department Act of 1921," making the provisions thereof applicable to rating organizations; authorizing the commissioner to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

House Bill No. 908, entitled:

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioners, prescribing procedure before the Commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

House Bill No. 910, entitled:

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

House Bill No. 1057, entitled:

An Act to amend section twenty-two and add section twenty-two point one to the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 955), entitled "Housing Authorities Law," regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof.

House Bill No. 1110, entitled:

An Act to amend sections two and three of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by further providing for the filing of reports and for certain deductions.

House Bill No. 1112, entitled:

An Act to further amend subsection (b) of section two of the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled: as amended "An act relating to institutions of counties,

cities, wards, boroughs, townships, institution districts and other political subdivision, for the care maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, building and personal property of such political subdivision used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas; and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," authorizing the Department of Welfare, with the approval of the Governor, to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

House Bill No. 1173, entitled:

An Act to amend the title of and the act, approved the fifth day of May, one thousand nine hundred twenty-seven (P. L. 817), entitled, "An act authorizing and regulating the growth, sale, and distribution of forest trees seedlings and transplants by the Department of Forests and Waters; regulating the use of such forest tree seedlings and transplants; and imposing duties upon the Department of Agriculture with regard to the enforcement of this act," by extending its provisions to include shrubs and vines under certain circumstances.

House Bill No. 1174, entitled:

An Act to further amend clause (j) of section one thousand eight hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by prescribing certain additional forest powers and duties.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Thursday, May 29, 1947, at 11:00 o'clock, a. m., Eastern Standard Time.

Mr. LLOYD H. WOOD. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:47 o'clock, p. m., Eastern Standard Time until Thursday, May 29, 1947, at 11:00 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 28, 1947

The House met at 12:00 noon, Eastern Standard Time.
The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Rabbi Allen Tarshish, Pastor of Beth Israel Temple of Hazleton, guest of Hon. John J. Mikula, offered the following prayer:

O Lord our God and Father of all men, we invoke Thy Blessing upon our country and our state. Guard them, O God, from calamity and injury and let the glories of a just, righteous, and God revering people increase from age to age.

May Thy Blessing rest also upon those whom the people have set in authority, our Representatives and leaders. Enlighten them with Thy wisdom so that their deliberations be fruitful in achieving the highest and noblest ends of all the people; so that they shall guard well our rights and liberties. May peace and good will obtain among all the inhabitants of our land; may religion spread its blessing among us and exalt us all in righteousness. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, May 27, 1947.

The Clerk proceeded to read the Journal of Tuesday, May 27, 1947, when, on motion of Mr. BOIES unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. BEECH HOUSE BILL No. 1344.

An Act defining and providing for the licensing and regulation of persons, institutions or corporations rendering guidance services or acting as agents therefor; conferring powers and imposing duties on the State Board for Vocational Education; prescribing penalties and making an appropriation.

Referred to the Committee on Appropriations.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 493.

An Act to further amend clause Sixth of section three of the act approved the thirty-first day of May one thousand nine hundred thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" by further defining adulteration in certain cases and further providing

for unlawful use of containers and other equipment and the enforcement of the provisions of the act.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 578.

An Act amending, revising and consolidating the laws relating to delinquent county, city, except of the first and second class, borough, town, township, school district, except of the first class, and institution district taxes; providing when, how, and upon what property, and to what extent liens shall be allowed for such taxes; the return and entering of claims therefor, the collection and adjudication of such claims; sales of real property, including seated and unseated lands, subject to the lien of such tax claims; the disposition of the proceeds thereof, including State taxes and municipal claims recovered, and the redemption of property; providing for the discharge and divestiture by certain tax sales of all estates in property, and of mortgages and liens on such property, and the proceedings therefor; creating a Tax Claim Bureau in each county, except a county of the first class, to act as agent for taxing districts defining its powers and duties, including sales of property, the management of property taken in sequestration, and the management, sale and disposition of property heretofore sold to the county commissioners, taxing districts and trustees at tax sales; providing a method for the service of process, and notices; imposing duties on taxing districts, and their officers, and on tax collectors, and certain expenses on counties, and for their reimbursement by taxing districts; and repealing existing laws.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 579.

An Act to amend section one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922 No. 307) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20), entitled 'An act for the government of cities of the second class' as amended authorizing the mayor city controller and council to make emergency loans" further providing for the payment of emergency loans.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 580.

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies.

Referred to the Committee on Ways and Means.

SENATE BILL No. 642.

An Act to amend sections two and three of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2629) entitled "A supplement to the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled 'An act for the government of the cities of the second class' establishing a department of lands and buildings in said cities providing for its officers and employees defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments" by pro-

viding that the said department may have jurisdiction over the supervision of contract work in connection with the construction of all city buildings and that such jurisdiction may be alternative to the jurisdiction of the department of public works as shall be determined by the council of such cities.

Referred to the Committee on Cities and County—Second Class.

SENATE BILL No. 667.

An Act to amend section two thousand five hundred fifty-one of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the provisions thereof authorizing the levy and collection of taxes.

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 676.

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulating examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" providing for qualifications and licensing of excess insurance brokers in all kinds of insurance other than life.

Referred to the Committee on Insurance.

SENATE BILL No. 725.

An Act to reenact amend and revise section forty-one clause (a) paragraph one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and minors of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estates as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estates from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by

further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries and by further providing for additional investments for trust funds by fiduciaries.

Referred to the Committee on Judiciary.

RESOLUTION INTRODUCED AND REFERRED

By Mrs. DYE. (Concurrent) RESOLUTION No. 58

In the House of Representatives, May 27, 1947.

Whereas, Delinquency of juveniles and youth in their early twenties is creating a major problem of crime in this Commonwealth resulting in mounting financial costs to the Commonwealth and great spiritual tragedy; and

Whereas, Conservation of human resources is a prime concern of the Commonwealth and an adequate preventive program would decrease the terrific loss to the Commonwealth of the productive citizenship of those engaged in crime; and

Whereas, A survey conducted by the Pennsylvania Federation of Womens Clubs (1945-46) shows serious difference in the preventive, protective and corrective services rendered to the children in the several counties of this Commonwealth; therefore, be it

Resolved, (if the Senate concurs), That the Joint State Government Commission is hereby directed to list, study, and appraise the problems relating to juvenile delinquency, namely, its underlying causes, the adequacy of existing governmental and private agencies to prevent juvenile delinquency, and measures which will conserve and improve the conditions of youth in the Commonwealth; and be it further

Resolved, That the Joint State Government Commission shall make a report to the next regular session of the General Assembly embracing the results of its findings and its recommendations for legislation to correct existing conditions and to prepare a bill or bills embodying such recommendations.

Referred to the Committee on Rules.

LEAVES OF ABSENCE

By consent of the House leave of absence was granted as follows

Mr. KLINE for himself for tomorrow's session.

Mr. HALLER for himself for tomorrow's session because of illness in the family.

Mr. GORMAN for himself for tomorrow's session.

Mr. WALTON for himself for tomorrow's session.

Mr. CLARENCE M. SMITH for himself for tomorrow's session.

Mr. McDONALD for himself for tomorrow's session.

Mr. UPSHUR for himself for Monday's session.

Mr. CASSIDY for himself for Monday's session.

Mr. MIKULA for himself for tomorrow's session.

Mr. SAX for himself for Monday's session.

Mr. MYERS for himself for tomorrow's session.

Mr. ROWEN for himself for tomorrow's session.

Mr. HENRY for himself for Monday's session.

Mr. CHUDOFF for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. GORMAN from the Committee on State Government, reported as committed House Bill No. 857, entitled:

An Act establishing a State Institution Retirement System; providing for payments upon retirement, death, disability, involuntary retirement from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by employees covered by the provisions of this act and the

Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Bill No. 925, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence, records, reports, and other papers, and for studying and recommending filing systems or the use of space by departments, boards and commissions.

Mr. HOOPEES from the Committee on State Government, reported as committed, House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation.

Mr. MOHR from the Committee on Motor Vehicles, reported as committed, House Bill No. 1241, entitled:

An Act to further amend subsection (a) section nine hundred five of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof; upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating issuance of permits for excessive size and weights.

Mr. MADDEN from the Committee on Ways and Means, reported as committed, House Bill No. 1324, entitled:

An Act imposing a State tax payable by those herein defined as users on fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users and making appropriations.

Mr. MADDEN from the Committee on Ways and Means, reported as committed, House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties and making an appropriation," further prescribing the liquid fuels taxable under the provisions of said act.

Mr. BOWER from the Committee on Appropriations, reported as committed, House Bill No. 1339, entitled:

An Act making an appropriation to the Department of Property and Supplies to purchase, repair, restore and maintain the Caleb Pusey House and the grounds surrounding the same in the borough of Upland, Delaware County, Pennsylvania, as an historic shrine.

Mr. REAGAN from the Committee on Appropriations, reported as committed, House Bill No. 1342, entitled:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and forty-seven.

Mr. FLEMING from the Committee on Ways and Means, reported as committed, Senate Bill No. 220, entitled:

An Act to further amend sections twelve, thirteen and fourteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by extending the time for payment of the tax without interest in certain cases; staying execution of certain liens in certain cases; and requiring the board to issue certificates of credit for overpayment in certain cases.

Mr. McKINNEY from the Committee on State Government, reported as committed, Senate Bill No. 336, entitled:

An Act to amend the title to further amend section two and to amend section seven of the act approved the

fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintain by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employees of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system.

Mr. HAUDENSHIELD from the Committee on State Government, reported as committed, Senate Bill No. 343, entitled:

An Act to amend sections five hundred twenty-four and two thousand eight hundred one-A of the Act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," further regulating examination and disposition of records, imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials; and authorizing the commission to procure the advice of experts and to pay for such services.

Mr. FISS from the Committee on State Government, reported as committed, Senate Bill No. 376, entitled:

A Supplement to the act, approved the twenty-fifth day of June, one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration, operation, and maintenance of bridges over the Delaware River, and for the construction of additional bridge facilities across said river; authorizing the Governor, for these purposes, to enter into an agreement with the State of New Jersey; creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof, including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges; transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River; and making an appropriation," authorizing

the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania, with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic, and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition, construction, rehabilitation, improvement, maintenance and operation of bridges across the Delaware River, the financing thereof, and the fixing, charging and collecting of tolls for the use of such bridges; and repealing certain acts.

Mr. STIMMEL from the Committee on State Government, reported as committed, Senate Bill No. 382, entitled:

An Act to further amend section two hundred three; to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments, boards and commissions shall be determined," by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas.

Mr. ROBERTSON from the Committee on Appropriations, re-reported as committed, Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept on behalf of the Commonwealth certain real estate comprising the Crispin Cemetery in Philadelphia and providing for its restoration and maintenance as an historic shrine

Mr. GORMAN from the Committee on State Government, reported as committed, Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

Mr. ALBERT W. JOHNSON from the Committee on State Government, reported as committed, Senate Bill No. 439, entitled:

An Act to amend sub-section (b) of section ten of the act approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as

distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," and providing a uniform ratio for distribution of the unencumbered balance.

Mr. BENTZEL from the Committee on Ways and Means, reported as committed, Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

Mr. GOODLING from the Committee on State Government, reported as committed, Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment and collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further imposing penalties in certain cases.

Mr. POLASKI from the Committee on State Government, reported as committed, Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States.

Mr. GORMAN from the Committee on State Government, reported as committed, Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of

parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employees dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employees thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the compensation of district supervisors in counties of the first and second class.

Mr. FROST from the Committee on State Government, reported as committed, Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train."

Mr. ROYER from the Committee on State Government, reported as committed, Senate Bill No. 727, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

Mr. HOFFMAN from the Committee on Ways and Means, reported as committed, Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred and thirtyone (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" validating certain expenditures.

Mr. WOOD from the Committee on State Government, reported as amended, House Bill No. 896, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices, and repealing all acts or parts of acts inconsistent therewith," increasing the compensation and mileage allowance of members of the General Assembly.

Mr. BANE from the Committee on State Government, reported as amended, House Bill No. 568, entitled:

An Act establishing the Port of Chester creating the Port of Chester Commission prescribing its powers and duties and making an appropriation.

Mr. FLEMING from the Committee on Ways and Means, reported as amended, House Bill No. 638, entitled:

An Act to amend section six hundred eleven of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," further providing for collection of certain taxes by prothonotaries.

Mr. YEAKEL from the Committee on Ways and Means, reported as amended, House Bill No. 1337, entitled:

An Act to further amend sections one and three, and to add section four to the act, approved the seventh day of May, one thousand nine hundred twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," further providing for determination of the estates subject to the Pennsylvania Estate Tax, the computation thereof, and the collection of interest upon tax not paid when due; and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate.

Mr. GOODLING from the Committee on Appropriations, reported as amended, House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents.

Mr. FEOLA from the Committee on Municipal Corporations, reported as amended, House Bill No. 943, entitled:

An Act to amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "An act relating to the collection of taxes levied by counties, county institution districts, cities of the third class, boroughs, towns, townships certain school districts and vocational school districts; conferring powers and imposing duties on tax collectors, courts and various officers of said political subdivisions; and prescribing penalties," by providing that the taxing districts shall pay the premium on bonds insuring tax collectors against losses of money through no fault of their own.

Mr. LOVETT from the Committee on Ways and Means, reported as amended, Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies and postponing the effective date of said exemption.

Mr. O'DONNELL from the Committee on Professional Licensure, reported as amended, Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain officers and employees of cemetery companies engaged in selling cemetery plots from the provisions of this act.

Mr. YESTER from the Committee on Ways and Means, reported as amended, House Bill No. 639, entitled:

An Act to amend section one of the act approved the fifth day of April, one thousand eight hundred forty-eight (P. L. 335), entitled "An act changing the time when certain officers shall make their returns," by further providing for the rendering of accounts for, and payment of, taxes received; and making the same conform to existing law.

Mr. TURNER from the Committee on Appropriations, reported as amended, House Bill No. 694, entitled:

An Act creating a Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia; defining the powers and duties of said commission; providing for participation in the said exposition; and making an appropriation to the Department of Commerce for the use of said commission.

Mr. MADIGAN from the Committee on Agriculture and Dairy Industries, reported as amended, Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one, (P. L. 522), entitled, as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing

for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city borough, town, and township officers and employees, directing the payment of all moneys collected into the State Treasury; and providing penalties," increasing the maximum amounts of payments by the State in certain cases.

Mr. JOHNSON from the Committee on State Government reported as amended, Senate Bill No. 274, entitled:

An Act authorizing the Secretary of Property and Supplies to sell a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

Mr. REAGAN from the Committee on Appropriations, reported as amended, Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics

Mr. WEST from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 551, entitled:

An Act to further amend the title of and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1286) entitled as amended "An act empowering cities boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" granting to municipalities as defined and to authorities power to charge and collect from owners of our users of water in properties served annual rentals rates or charges for the use of certain sewers sewerage systems and sewage treatment works and special assessments for the design and construction thereof authorizing municipalities to contract with authorities for sewer, sewerage and sewage treatment services and to convey to such authorities their water supply systems, sewers, sewerage systems and sewage treatment works clarifying and extending the provisions thereof with respect to the purposes for which and the circumstances under which such rentals or charges may be imposed and the proceeds thereof used adding purposes including the design and construction of new or additional sewers sewerage systems and the sewage treatment works authorizing the use of water revenues for such purposes authorizing water utilities as defined to perform billing and collecting services for such municipalities and authorities and conferring certain powers upon the Pennsylvania Public Utility Commission in connection therewith authorizing the shut off of water supply in certain cases and making it unlawful to discharge harmful industrial wastes into any municipal sewer.

Mr. POWERS from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 800, entitled:

An Act empowering cities of the second class, cities of the second class A, cities of the third class, boroughs, towns, townships of the first class, school districts of the second class, school districts of the third class and school districts of the fourth class to levy, assess and collect or

to provide for the levying, assessment and collection of certain additional taxes for general revenue purposes, authorizing the establishment of bureaus and the appointment and compensation of officers and employees to assess and collect such taxes, and permitting penalties to be imposed and enforced.

Mr. WOOD from the Committee on Appropriations, re-reported as committed, House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury.

BILLS ON FIRST READING

The following bills were read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 857, entitled:

An Act establishing a State Institution Retirement System; providing for payments upon retirement, death, disability, involuntary retirement from the State Employees' Retirement Fund, under the administration of the State Employees' Retirement Board; providing for contributions by employees covered by the provisions of this act and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 925, entitled:

An Act making an appropriation to the Department of Property and Supplies to establish and conduct a service for photographing correspondence, records, reports, and other papers, and for studying and recommending filing systems or the use of space by departments, boards and commissions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1241, entitled:

An Act to further amend subsection (a) section nine hundred five of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of

vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating issuance of permits for excessive size and weights.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act imposing a State tax payable by those herein defined as users of fuels used within the Commonwealth in internal combustion engines for the generation of power to propel motor vehicles using the public highways; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such users to secure licenses, to file bonds as a guarantee of payment of taxes, penalties, interest, fines, uncollectible check fees and Attorney General's fees; to file reports and to compile and retain certain records; imposing duties on dealers, wholesalers and carriers for hire; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds of taxes, penalties and interest illegally or erroneously collected from licensed users and making appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1325, entitled:

An Act to further amend the title and the definition of "Liquid Fuels" in section two of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax and the distribution and use of the proceeds thereof; requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties and making an appropriation," further prescribing the liquid fuels taxable under the provisions of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1339, entitled:

An Act making an appropriation to the Department of Property and Supplies to purchase, repair, restore and maintain the Caleb Pusey House and the grounds surrounding the same in the borough of Upland, Delaware County, Pennsylvania, as an historic shrine.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1342, entitled:

A Further Supplement to the act approved the fourth day of June one thousand nine hundred forty-five (Appropriation Acts page 63) entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-five" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred and forty-seven.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 220, entitled:

An Act to further amend sections twelve, thirteen and fourteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by extending the time for payment of the tax without interest in certain cases; staying execution of certain liens in certain cases; and requiring the board to issue certificates of credit for overpayment in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 236, entitled:

An Act to amend the title, to further amend section two and to amend section seven of the act, approved the fourth day of June, one thousand nine hundred forty-three (P. L. 886), entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employees' Retirement Board and the

actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems, and upon officers and employes of such political subdivisions and institutions supported and maintained by them; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation," including employes of municipal authorities within the provisions of the act, and prescribing the procedure by which municipal authorities may join the retirement system.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 343, entitled:

An Act to amend sections five hundred twenty-four and two thousand eight hundred one—A of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" further regulating examination and disposition of records, imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials; and authorizing the commission to procure the advice of experts and to pay for such services.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 376, entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352) entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Delaware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agree-

ment on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 382, entitled:

An Act to further amend section two hundred three; to add subsection (d) to section four hundred forty-eight and to add a new section one thousand eight hundred ten to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating as a departmental administrative advisory board in the Department of Forests and Waters the Flood Control Commission prescribing its powers duties and personnel directing cooperation of other governmental agencies and giving jurisdiction to the Dauphin County Court to enforce subpoenas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 414) entitled "An act relating to vital statistics and to make uniform the law with reference thereto" by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 439, entitled:

An Act to amend Sub-section (b) of section ten of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act

imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distribution to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" and providing a uniform ratio for distribution of the unencumbered balance.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 498, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty and one thousand nine hundred and forty-two

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further imposing penalties in certain cases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County Pennsylvania for use in connection with the New Cumberland General Depot and ceding jurisdiction to the United States

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled 'An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes there of making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by increasing the compensation of district supervisors in counties of the first and second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 727, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act to further amend sub-section (a) of section 10 of the act approved the twenty-first day of May one thousand nine hundred and thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and de-

livered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" validating certain expenditures.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RESOLUTION

Mr. BOORSE asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 28th, 1947.

Whereas House Bill No. 214 entitled:

An Act to reenact and amend the act, approved the nineteenth day of May, one thousand nine hundred forty-three (P. L. 18), entitled "An act authorizing during the present war time emergency, cities, counties and other political subdivisions, to pay compensation to their officers (except officers elected by the people), employes and others who are paid out of their treasuries, in addition to the compensation fixed by act of assembly; validating ordinances and other legislative acts authorizing such payments and all payments made thereunder, and suspending existing laws," extending the provisions thereof for an additional period of time,

the official copy of which was referred by the Speaker to the Committee on Municipal Corporations Tuesday, February 4th, 1947, has been lost.

Be it resolved, That the Chief Clerk of the House hereby is directed to furnish to the Committee on Municipal Corporations a certified copy of House Bill 214 which copy shall be substituted for the original, for the consideration of the Committee on Municipal Corporations.

HOUSE BILL 438 AND COMMUNICATION TAKEN FROM TABLE

Mr. CHARLES C. SMITH. Mr. Speaker, I move that House Bill No. 438, together with the communication from the Governor, be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 438

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 23, 1947.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 438, Printer's No. 274, for further consideration.

Accordingly, the original bill is herewith returned.

JAMES H. DUFF

RECONSIDERATION OF VOTE

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. BENDER. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Smith vote on the final passage of this bill?

Mr. CHARLES C. SMITH. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Allegheny, Mr. Bender vote on the final passage of this bill?

Mr. BENDER. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. CHARLES C. SMITH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES C. SMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, line 2 from top of page, by inserting after the word "to" the following: "the".

Amend title, page 2, line 2 from top of page, by striking out the words "in person".

Amend sec. 2 (Sec. 4), page 3, line 7, by striking out the words "compensation or pension" and inserting in lieu thereof "retirement allowance."

Amend sec. 2 (Sec. 4), page 3, line 10 by striking out the words "in person"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

HOUSE BILL 305 AND MESSAGE TAKEN FROM TABLE

Mr. ROBERTSON. Mr. Speaker, I move that House Bill No. 305, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 305.

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to

provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected and providing procedure for enforcement and imposing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend title, page 2, by inserting after the word "providing" the words "procedure for enforcement and imposing penalties."

Amend section 1, page 4, line 7, by inserting the following: "informations charging violations of any of the summary provisions of this act shall be brought before the nearest available magistrate alderman or justice of the peace within the city borough incorporated town or township where the alleged violation occurred provided that where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate alderman or justice of the peace any such prosecution may be brought before any one of such officers or if there is no person holding the office of magistrate alderman or justice of the peace in such city borough incorporated town or township then such information shall be brought before such nearest available magistrate alderman or justice of the peace in any adjoining city borough incorporated town or township"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. ROBERTSON. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202.

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Buccin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Cochran,	Jennings,	O'Donnell,	Tompkins,
Cole,	Johnson,	O'Neill,	Toomey,
Cook,	Johnston,	Orban,	Turner,
Cooper,	Jones,	Patten,	Upshur,
Cordier,	Jump,	Petrosky,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,

De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Wells,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarra,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0.

NOT VOTING—3.

Clevenger, Nelson, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS

The SPEAKER. If there is no objection, the Chair will now declare a recess until 1:15 p. m. for the purpose of holding a Republican Caucus in the new House Caucus Room. The Chair hears none, and a recess is declared.

AFTER RECESS

The time of recess having expired, the House was called to order.

The SPEAKER (Franklin H. Lichtenwalter) in the chair.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 26, 1947.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday, June 2, 1947, at three o'clock p. m., Eastern Standard Time and when the House of Representatives adjourns this week it reconvene on Monday, June 2, 1947 at three thirty o'clock p. m., Eastern Standard Time.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate? It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 810.

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) en-

titled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes.

HOUSE BILL No. 890.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulating of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioners to collect prescribed fees, fines and penalties of such organizations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections.

HOUSE BILL No. 908.

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County.

HOUSE BILL No. 910.

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings;

prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

HOUSE BILL No. 1057.

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof.

HOUSE BILL No. 1110.

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions.

HOUSE BILL No. 1112.

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals.

HOUSE BILL No. 1174.

An Act to further amend clause (j) of section one thousand eight hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools of Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by prescribing certain additional forest powers and duties

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 246.

An Act relating to trusts heretofore or hereafter created primarily for the benefit of employes under any stock bonus pension disability or death benefit profit-sharing or other employe-benefit plan and the application with respect thereto of any statute or rule of law against perpetuities accumulations or the suspension of the power of alienation

SENATE BILL No. 338.

An Act to further amend clause (e) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" excluding municipal authorities from the definition of employer

SENATE BILL No. 337.

An Act to further amend the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by permitting the investment of trust funds by fiduciaries in municipality authority bonds meeting certain requirements

SENATE BILL No. 587.

An Act to further amend subsection (b) of section thirty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizen parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" clarifying the provisions relating to the time for giving change of party enrollment notice

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 102, 603, 615, and 632.

Resolution for concurrence

CITIZENS OF ALLENTOWN WELCOMED

The SPEAKER. The Chair is pleased to see present in the hall of the House today a group of women from Allentown, Lehigh County. There is a large number of them.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessments of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 234, entitled:

An Act to amend section fifteen of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by further providing for the investment of funds by domestic societies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 393, entitled:

An Act authorizing certain existing beneficial or protective societies heretofore incorporated, to reincorporate or to merge and reincorporate, as limited life insurance

companies for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death, including endowment insurance; regulating such corporations and limiting the amounts for which such corporations may issue policies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 394, entitled:

An Act to further amend section four hundred nineteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by permitting certain additional stock insurance companies to come within the provisions thereof, and changing certain capital and surplus requirements.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 553, entitled:

An Act to further amend the act approved the twelfth day of May one thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" increasing the compensation of county auditors

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 668, entitled:

An Act to further amend section three of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the payment of the salaries of probation officers and their assistants

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 669, entitled:

An Act requiring in counties of the third class a building permit from the board of assessment and revision of taxes for the erection or construction of any new building or structure within the boroughs or townships of such counties and providing penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 674, entitled:

An Act to further amend section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 676, entitled:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund and providing that in such cases members shall be given credit as to benefits for time in military service

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 786, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" allowing counties to retain the excess over the amount of taxes penalties interest and

costs due on real property sold by county commissioners at private or public sale

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. FISS and YESTER offered amendments.

The SPEAKER. The Chair has been informed that there has been an agreement between the Majority and Minority Leaders to consider the amendments offered by the gentleman from Allegheny, Mr. Yester, before considering the amendments offered by the gentleman from Snyder, Mr. Fiss. The Chair would like to carry out that agreement. He will therefore request the Clerk to read the amendments offered by the gentleman from Allegheny, Mr. Yester, to Section 2.

The Clerk read the amendments offered by Mr. YESTER to section 2 as follows:

Amend sec. 2 (Sec. 10), page 10, line 7, by striking out the bracket and words "Twelve million".

Amend sec. 2 (Sec. 10), page 10, line 7, by inserting a bracket after the word "dollars" and inserting immediately thereafter "One-half cent of each cent per gallon or fractional part thereof of the additional tax collected under the provisions of this act".

Amend sec. 2 (Sec. 10), page 10, line 14, by striking out the bracket and words "Twelve million".

Amend sec. 2 (Sec. 10), page 10, line 14, by inserting a bracket after the word "dollars" and inserting immediately thereafter "One-half cent of each cent per gallon or fractional part thereof of the additional tax collected under the provisions of this act".

On the question,

Will the House agree to the amendments?

Mr. YESTER. Mr. Speaker, this amendment that I have offered is absolutely very important to your community. It means that they will have returned to them from the gasoline tax the whole cent. It means that it is going to protect the home owners and the property owners. Under conditions the way they are now it looks as though there

isn't going to be much returned to the communities. Each one of you represents your own community. It is not a question of representing the state; it is up to you to see that your community gets enough of this gasoline tax money back to take care of their roads. Under the present conditions they do not receive enough. This one cent gasoline tax will return to the state seventeen million five hundred thousand dollars every year. Now they want to offer you ten million dollars.

I am asking the Members of this House to think of your own community back home and your property owners, protect them and vote for my amendments.

Mr. FISS. Mr. Speaker, it is all well and good, and I know that we would all like to see just as much money returned to the political subdivisions as is possible, but there is also a third party interested, where we also depend upon them to maintain, reconstruct and build our main highways in Pennsylvania. Over the period of war years the Department of Highways in Pennsylvania had struggled under adverse conditions. Now then, if we were to attempt to adopt the amendments of the gentleman from Allegheny, Mr. Yester, we would only be crippling the work which is so badly needed for a complete and efficient road system in Pennsylvania.

I ask the Members of this House to consider that thoughtfully, and since we have practically agreed that there is a way that will serve all of the political subdivisions in Pennsylvania as well as the Highway Department, I ask the Membership of this House to vote down these amendments.

Mr. ANDREWS. Mr. Speaker, when it was announced that the majority party was going to caucus on this particular bill, perhaps I had in mind to say that I have been conscious for some time that the members of the majority were voting their confusion much more enthusiastically than they appeared to be voting their convictions, but I hoped that as a result of this caucus that they held the light of reason would begin to dawn.

We have this particular bill which would curtail the amount sent back to the various local political subdivisions. That is what we carry in our right hand. On the calendar as reported today from committee is another bill, which we hold in our left hand, and say that the local communities are privileged to increase their taxes, you are destitute, you need assistance, so we will broaden your tax base. That is a strange situation for a deliberative body to find itself in. You say to the cities and to the townships, "You need more money, so we will broaden your tax base." "All right," do we say, "We have a little more money in the one cent emergency gas tax, so we will give you some". No, no, we want some of that for the Commonwealth to minister to what the gentleman has just said is a complete and efficient highway program for Pennsylvania."

Now, members of the House, while we have to vote for measures of this kind because it is the only kind of a measure we have on which to vote, I want to call your attention to the fact that this bill is not a contribution to any of the fundamental and basic problems with which this Commonwealth is confronted in connection with its highway system. It is just some more patch work legislation. We have an expanding highway system, expanding construction costs, expanding maintenance cost, and we have no plan. We have no plan of development to

which to attach any revenue that will be raised under this bill and which will accrue to the Commonwealth. We might just as well have, so far as the permanent needs of the highways of this Commonwealth are concerned, divided this penny equally between the local subdivisions as to hand twelve million dollars to any one bracket and twelve million dollars to another bracket and a small amount to the Commonwealth.

Under the circumstances and in view of what we admit is the financial plight with which the political subdivisions are confronted, and which we admit in House Bill 800, I submit to you that under the circumstances the logical and sensible thing is to say, "Here is the penny, half of it for the cities and half for the townships."

Mr. FISS. Mr. Speaker, it is of course true that we are living in times that are more or less uncertain, and that is one reason why the bill only extends for two years. We hope that we will pass over this reconstruction period and come to the time when everything will be sane and sensible. But after all the gentleman would have you tear down the structure and undermine the very foundation of all our highway system by taking out of the Highway Department completely and kicking out the foundations from the very structure itself. So that doesn't make sense. I again repeat that under the conditions in which we are living now and working that we should vote down these amendments.

Mr. YESTER. Mr. Speaker, according to representative Fiss you would think that the Highway Department is going to be without any funds. This is only one penny. They collect four pennies and give one and one-half pennies back to the counties and they still have two and a half pennies. On the one penny this year it will bring over \$17,500,000. So how do you figure that the Highway Department won't have enough money to spend?

Mr. COLE. Mr. Speaker, it has been my understanding that the State Highway Department intends to turn back to the political subdivisions many thousands of miles of road that they now have. Because those roads are going to be placed on the political subdivisions back home the result is going to be that the political subdivisions back home are going to need some money. So I urge the Members of this House to vote in support of these amendments.

Mr. FISS. Mr. Speaker, I only wish to correct a statement that I am sure is not altogether correct, because I am certain that there is no intention on the part of the Highway Department or anyone else to turn miles and miles or thousands of miles of road back to the political subdivisions. There is no intent to do that.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Snyder, Mr. Fiss.

The SPEAKER. Will the gentleman from Snyder permit himself to be interrogated?

Mr. FISS. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, does the gentleman assure this House from his knowledge of the discussions of the highway problem that it has not been seriously urged by very important persons that a very considerable portion of the highway mileage that was indiscriminately taken over by the Commonwealth was not progressively to be surrendered back to the political subdivisions?

Mr. FISS. I cannot answer that question from any official standing at all. I will simply say to the gentle-

man that it has never been according to my knowledge discussed with any official authority, and I doubt, dealing with the other bill, the Omnibus Bill, and in connection with the representative of the Secretary of Highways, I would say personally that that is certainly not the intention of this department at this time.

Mr. ANDREWS. Mr. Speaker, I simply desire to write into the record the prophesy or the statement that it is the intention of the Highway Department to surrender a considerable amount of the mileage which the State unwisely took over.

Mr. FISS. Mr. Speaker, I am sure the gentleman from Cambria as well as every other member of this House would have the opportunity to vote on a question of that kind, as it could not be done without some statute law.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Andrews and Mr. Cole and were as follows:

YEAS—31

Andrews,	Cochran,	O'Connor,	Stank,
Bane,	Cole,	O'Neill,	Swope,
Barrett,	Evans,	Petrofsky,	Verona,
Bentzel,	Kirley,	Polaski,	Weiss,
Brown,	Lovett,	Powers,	Wheeler,
Bucchin,	Mills,	Readinger,	Yester,
Capano,	Mooney,	Reese, R. E.,	Yetzer,
Chervenak,	Needham,	Snider,	

NAYS—143

Aaronson,	Goodling,	Madden,	Royer,
Baumunk,	Graybill,	Madigan,	Sax,
Beech,	Greenwood,	Mazza,	Scott,
Bender,	Greer,	McCullough,	Serrill,
Bloom,	Griffiths,	McDonald,	Shoemaker,
Bonawitz,	Guthrie,	McKinney,	Simons,
Boorse,	Gyger,	Mikula,	Smith, C. C.,
Bower,	Hall,	Miller,	Smith, C. M.,
Brelsich,	Haller,	Mintess,	Sorg,
Brice,	Haudenschild,	Mohr,	Sproul,
Brunner,	Henry,	Moore, C. F.,	Stimmel,
Cadwalader,	Hewitt,	Moore, H.	Stonier,
Cooper,	Hocker,	Morrison,	Thomassy,
Cordier,	Hoffman,	Murray,	Thompson,
Costa,	Hoopes,	Myers,	Tittle,
Dague,	Imbt,	Najaka,	Tompkins,
Dalrymple,	Jennings,	Naumann,	Toomey,
Davis,	Johnson,	Neff,	Turner,
De Long,	Johnston,	O'Dare,	Upshur,
Demech,	Jones,	O'Donnell,	Vaughan,
Dennison,	Jump,	Orban,	Wachhaun,
Depuy,	Kelley,	Patten,	Wagner,
Dix,	Kemp,	Pichney,	Waldron,
Dye,	Kent,	Pickens,	Walton,
Elder,	Kline,	Price,	Watkins,
Ewing,	Kohl,	Propert,	Watson,
Feola,	Kratz,	Ragot,	Weidner,
Fiss,	Krise,	Reagan,	Wescott,
Fish,	Kurtz,	Reese, D. P.,	West,
Flack,	Laughner,	Reilly, J. M.,	Wolf,
Fleming,	Layer,	Reilly, W. J.,	Wood,
Foor,	Leisey,	Richter,	Worley,
Frost,	Livingston,	Riley,	Yeakel,
Getchey,	Livingstone,	Robbins,	Young,
Gibson,	Loftus,	Robertson,	Lichtenwalter,
Goff,	Lyons,	Rowen,	Speaker.

NOT VOTING—31

Boies,	Gallagher,	McMillen,	Sollenberger,
Cassidy,	Gorman,	Mihm,	Stockham,
Chudoff,	Helm,	Nelson,	Stuart,
Clevenger,	Horan,	Root,	Tahl,
Cook,	Kean,	Rose,	Trout,
Crowley,	Lee,	Sarrafa,	Wallin,
Efenberg,	McCormack,	Scanlon,	Waterhouse,
Erb,	McCosker,	Schuster,	

So the question was determined in the negative and the amendments were not concurred in.

On the question recurring,

Will the House agree to the section?

The Clerk read the amendments offered by Mr. FISS to section 2.

Amend page 7, section 2, by striking out lines 14 to 19, inclusive.

Amend page 8, section 2, by striking out lines 1 to 20, inclusive.

Amend page 9, section 2, by striking out lines 1 to 12, inclusive.

Amend page 9, section 2, line 13, by striking out at the beginning of the line before the word "The" the following: "[(d)]" and inserting in lieu thereof the following: "(b)".

Amend page 9, section 2, line 19, by striking out at the beginning of the line before the word "The" the following: "[(c)] (e)]" and inserting in lieu thereof the following: "(c)".

Amend page 10, section 2, by striking out line 7 and inserting in lieu thereof the following: "Ten million dollars".

Amend page 10, section 2, line 14, by striking out at the beginning of the line before the word "Eight" the following: "[]]".

Amend page 10, section 2, line 14, by striking out after the word "thousand" and before the word "dollars" the following: "[] Twelve million]".

Amend page 11, section 2, line 15, by striking out after the word "received" and before the word "shall" the following: "[]]".

Amend page 11, section 1, line 17, by striking out after the word "and" and before the word "shall" the following: "[]]".

Amend page 13, section 2, line 12, by striking out at the beginning of the line before the word "The" the following: "[]]".

Amend page 13, section 2, line 17, by striking out at the end of the line after the word "act" the following: "[]]".

On the question,

Will the House agree to the amendments?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Snyder, Mr. Fiss.

The SPEAKER. Will the gentleman from Snyder permit himself to be interrogated?

Mr. FISS. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, would the gentleman explain to the House how much money would be saved for the Highway Department under this amendment.

Mr. FISS. Mr. Speaker, that would be a question that no one could answer in full because we don't know exactly what the receipts would be in the next biennium.

Mr. LOVETT. Mr. Speaker, would the gentleman explain to the House what the difference in dollars would be in regard to the money now which is in the bill and the change under the amendment?

Mr. FISS. Mr. Speaker, the present law is eight million five hundred thousand dollars for second class townships, eight million five hundred thousand dollars for first class townships, boroughs and cities. The amendments simply do this. They increase the amount from eight million five hundred thousand dollars to ten million dollars in each case.

Mr. LOVETT. Mr. Speaker, would the gentleman say that the original act, before his amendments, was twelve million dollars?

Mr. FISS. That is correct, Mr. Speaker.

Mr. LOVETT. The amendment, Mr. Speaker, that the gentleman has offered has reduced it to ten million dollars?

Mr. FISS. That is correct, Mr. Speaker.

Mr. LOVETT. Mr. Speaker I would like the gentleman to state the difference between the present bill and the amendment.

Mr. FISS. Mr. Speaker, I said that exactly. I gave the gentleman a complete answer. The bill calls for twelve million and the amendment calls for ten million.

Mr. LOVETT. Mr. Speaker, that difference in dollars and cents would be two million dollars. Is that correct?

Mr. FISS. If I am able to add and subtract, Mr. Speaker, that is also correct.

Mr. LOVETT. Mr. Speaker, would the gentleman explain how much good this change will do in revenues to the Highway Department.

Mr. FISS. Mr. Speaker, the Highway Department has no other law other than the present act, and of course if you would take it under the present status the Highway Department would be losing.

Mr. LOVETT. But under the amendment, Mr. Speaker, the Highway would gain. Is that correct?

Mr. FISS. The Highway would gain slightly, yes, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, the point I want to make is that the gain is so slight that I question whether or not the Members of the House will take that gain away from the municipalities and give it to the Highway Department. I think you should be fair in at least that amount to the local municipalities.

Mr. FISS. Mr. Speaker, I only want to say that certainly one million and a half dollars to every political subdivision of Pennsylvania, townships, boroughs and cities, is not very small.

Mr. ANDREWS. Mr. Speaker, I desire to interrogate the gentleman from Snyder, Mr. Fiss.

The SPEAKER. Will the gentleman from Snyder permit himself to be interrogated?

Mr. FISS. I shall, Mr. Speaker.

Mr. ANDREWS. Mr. Speaker, the gentleman from Westmoreland asked a question which I think should be answered on the floor of the House. On the basis of collections in 1946 what did the penny gas tax yield in the year 1946 or in the biennium? I prefer the figures for 1946.

Mr. FISS. Approximately seventeen million dollars for one year, thirty-four million dollars for the biennium.

Mr. ANDREWS. That is right. Then this bill makes a difference between the local political subdivisions and the Commonwealth of twenty million dollars, as against at least thirty-six million dollars. Under this bill the Commonwealth will get sixteen million dollars, is that right or fourteen or twelve?

Mr. FISS. Mr. Speaker, the gentleman is referring to something else. My comparisons were under the present law when I answered the gentleman from Westmoreland, Mr. Lovett.

Mr. ANDREWS. Mr. Speaker, the difference as to what the political subdivisions would receive under the amendment as proposed by the gentleman from Westmoreland, and the bill, as you say, the difference so far as the politi-

cal subdivisions are concerned, is at least in excess of twelve million dollars, is it not, for the biennium?

Mr. FISS. Mr. Speaker, the amendments offered by the gentleman from Allegheny, Mr. Yester, would mean approximately that amount. I would say that is a very close estimate.

Mr. ANDREWS. Mr. Speaker, I thank the gentleman very much. I think that is a figure that should have been read into the record.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 909, entitled:

An Act to amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that salaries of tax collectors their deputies clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 975, entitled:

An Act to amend clauses (c) and (g) of section three hundred one of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 566) entitled "An act defining the liability of any employer to pay damages for occupational disease contracted by an employee arising out of and in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder imposing duties on the Department of Labor and Industry the Workmen's Compensation Board Workmen's Compensation Referees and deans of medical schools creating a medical board to determine controverted medical issues establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases making an appropriation and prescribing penalties" further regulating compensation for occupational disease and liability therefor

The first section was read.

On the question,

Will the House agree to the section?

Mr. ELDER offered the following amendment:

Amend sec. 2 (Sec. 301), page 4, line 7, by striking out all of said line.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the formation of a State association of directors of veteran's affairs and the payment by counties of certain expenses in connection therewith

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1113, entitled:

An Act to add clause XXIV.1 to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing township supervisors to acquire by lease the use of real property

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1309, entitled:

An Act concerning fish frogs terrapin animals of aquatic habits amphibian and other aquatic life in the waters of this Commonwealth establishing ownership jurisdiction and control over the same enacting amending revising consolidating and changing the fish laws fixing penalties providing for enforcing the laws granting powers and authority to the Board of Fish Commissioners enlarging and conferring jurisdiction of magistrates justices of the peace aldermen and courts providing for establishment maintenance of a fish fund and the uses thereof providing for the taking transportation protection production and distribution of fish and aquatic life providing for acquisition and improvement of lands and waters for the production of fish establishing public fishing areas and repealing certain laws

The first to eleventh articles inclusive were separately read and agreed to.

The twelfth article was read.

On the question,

Will the House agree to the article?

Mr. ELDER offered the following amendment:

Amend Section 1201, page 116, line 17, by striking out the words "first day of July" and inserting in lieu thereof: "thirtieth day of June".

On the question,

Will the House agree to the amendment?

It was agreed to.

The article as amended was agreed to.

The thirteenth and fourteenth articles were read and agreed to.

The fifteenth article was read.

On the question,

Will the House agree to the article?

Mr. ELDER offered the following amendments:

Amend Sec. 1510, page 137, lines 6 and 7, by striking out the word "per-son" and inserting in lieu thereof "officer, agent or employe of any corporation".

Amend Sec. 1512, page 138, lines 19 and 20, by striking out the words "A person" in line 19 and all of line 20.

Amend Sec. 1512, page 139, lines 1 to 7, inclusive, by striking out all of lines 1 to 6, inclusive, and the word "committed" in line 7, and inserting in lieu thereof the following: "Any person charged with violating any provisions of this act may sign an acknowledgement of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned fish warden or deputy fish warden the fine provided by this act together with costs accruing to that date and surrender to the Commonwealth any fish or other aquatic life or any article, implement, device or equipment, the use of which is expressly forbidden by this act unlawfully taken or possessed. Such person shall receive a printed receipt therefor which shall bear the imprint of the seal of the board and the signature of the commissioner and the officer issuing the receipt which shall be evidence of full satisfaction of the offense committed. Any person who after the signing of such an acknowledgment of the offense committed feels aggrieved by any such charge of violation may within fifteen days thereafter request a hearing in connection with said offense before any magistrate, alderman or justice of the peace in the county wherein the offense was committed by filing a written notice thereof with the arresting officer at least three days prior to the time requested for a hearing. In every such case the subsequent proceedings as to hearing, judgment and the right of appeal shall be the same as though in the first instance an arrest had been made,

Amend Sec. 1516, page 141, lines 14 to 20, inclusive, by striking out all of said lines.

Amend Sec. 1516, page 142, lines 1 and 2, by striking out both of said lines.

Amend Sec. 1517, page 142, line 3, by striking out the figure "1517" and inserting in lieu thereof "1516".

Amend Sec. 1518, page 142, line 10, by striking out the figure "1518" and inserting in lieu thereof "1517".

Amend Sec. 1519, page 143, line 6, by striking out the figure "1519" and inserting in lieu thereof "1518".

The amendments were agreed to.

The sixteenth and seventeenth articles and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 100, entitled:

An Act to further amend the act approved the twenty-eighth day of May one thousand nine hundred fifteen (P. L. 596) entitled "An act requiring cities of the second class to establish a pension fund for employes of said cities and regulating the administration and the payment of such pensions" by further regulating the administration and payment of such pensions in certain cases

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 233, entitled:

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 241, Printer's No. 76 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 253, entitled:

An Act concerning liens of factors on merchandise and on any proceeds arising from the sale of such merchandise and defining "factor" as one that lends or advances money on the security of merchandise whether or not employed to sell such merchandise

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 263, entitled:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels and increasing penalties.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 434, entitled:

An Act to further amend section two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," further describing the powers of limited life insurance companies under certain conditions.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 492, Printer's No. 185

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 563, entitled:

An Act to amend clause (a) and the first paragraph of clause (b) of section three hundred twenty-four of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by further regulating the notice of meetings required to be given stockholders in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," empowering city councils, by ordinance, to define and penalize disorderly conduct.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 659, Printer's No. 262

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 674, entitled:

An Act validating county commissioners' deeds where the acknowledgment of such deed or deeds was defective in any respect or where the acknowledgment was not properly taken

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 675, entitled:

An Act validating county treasurers' deeds where the acknowledgment of such deed or deeds was defective in any respect if in fact such acknowledgment was taken before any officer duly authorized by law to take acknowledgments

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 680, Printer's No. 305

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 710, entitled:

An Act to further amend section three hundred twenty of article three of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" changing penalty for neglect by insurance companies to furnish financial and other statements when required by Insurance Commissioner.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILL

Mr. SORG asked and obtained unanimous consent to extend the time five days on House Bill No. 417, Printer's No. 593, on page 15 of today's calendar, bills on second reading postponed.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 654, as follows:

An Act to permit employes of cities boroughs towns and townships to accumulate annual sick leave in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any officer or employe of any city borough town or township entitled by any law ordinance or regulation to an annual sick leave without diminution of their salary or compensation may accumulate such sick leaves for a period not to exceed three years

Each such political subdivision shall have the power to establish and enforce reasonable regulations as to the use of such accumulated sick leaves for the purpose of preventing the abuse thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Scanlon,
Andrews,	Getchey,	McCullough,	Schuster,
Bane,	Gibson,	McDonald,	Scott,
Barrett,	Goff,	McKinney,	Serrill,
Baumunk,	Goodling,	McMillen,	Shoemaker,
Beech,	Gorman,	Mihm,	Simons,
Bender,	Graybill,	Mikula,	Smith, C. C.,
Bentzel,	Greenwood,	Miller,	Smith, C. M.,
Bloom,	Greer,	Mills,	Snider,
Boies,	Griffiths,	Mintess,	Sollenberger,
Bonawitz,	Guthrie,	Mohr,	Sorg,
Boorse,	Gyger,	Mooney,	Sproul,
Bower,	Hall,	Moore, C. E.,	Stank,
Breisch,	Haller,	Moore, H. A.,	Stimmel,
Brice,	Haudenschild,	Morrison,	Stockham,
Brown,	Helm,	Murray,	Stonier,
Brunner,	Henry,	Myers,	Stuart,
Bucchin,	Hewitt,	Najaka,	Swope,
Cadwalader,	Hocker,	Naumann,	Tahl,
Capano,	Hoffman,	Needham,	Thomassy,
Cassidy,	Hoopes,	Neff,	Thompson,
Chervenak,	Horan,	O'Connor,	Tittle,
Chudoff,	Imbt,	O'Dare,	Tompkins,
Cochran,	Jennings,	O'Donnell,	Toomey,
Cole,	Johnson,	O'Neill,	Turner,
Cook,	Johnston,	Orban,	Upshur,
Cooper,	Jones,	Patten,	Vaughan,
Cordier,	Jump,	Petrosky,	Verona,
Costa,	Kean,	Pichney,	Wachhaus,
Crowley,	Kelley,	Pickens,	Wagner,
Dague,	Kemp,	Polaski,	Waldron,
Dalrymple,	Kent,	Powers,	Wallin,
Davison,	Kirley,	Price,	Walton,
De Long,	Kline,	Propert,	Waterhouse,
Demech,	Kohl,	Ragot,	Watkins,
Dennison,	Krise,	Readinger,	Watson,
Depuy,	Kurtz,	Reagan,	Weidner,
Dix,	Kratz,	Reese, D. P.,	Weiss,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Relly, J. M.,	West,
Elder,	Lee,	Relly, W. J.,	Wheeler,
Erb,	Leisey,	Richter,	Wolf,
Evans,	Livingston,	Riley,	Wood,
Ewing,	Livingstone,	Robbins,	Worley,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Root,	Yester,
Fiss,	Lyons,	Rose,	Yetzer,
Flack,	Madden,	Rowen,	Young,
Fleming,	Madigan,	Royer,	Lichtenwalter,
Foor,	Mazza,	Sarra,	Speaker.
Frost,	McCormack,	Sax,	

NAYS—0

NOT VOTING—3

Clevenger, Nelson, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 640 and

House Bill No. 980, Printer's No. 729

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1216, as follows:

An Act to reenact amend and revise the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs"

Table of Contents

Article I Preliminary Provisions	101-[109]	111
Article II Creation of Boroughs	201-[240]	229
(a) Incorporation of Boroughs	201-212	
(b) Consolidation of Boroughs	215-[221]	222
(c) [Re-establishment of Boroughs] Creation of Boroughs from Cities of the Third Class 225-[230]		229
[(d) Division of Boroughs	235-240]	
Article III Annulment of [Borough] Charters and Change of Corporate Names	301-[303]	304
Article IV Change of Borough Limits	401-[438]	432
(a) [On Petition of Freeholders] Annexation of Townships of the First Class or Parts Thereof 401 [408]		406
(b) [By Annexation on Petition of Freeholders Out- side the Borough] Annexation of a Township of the Second Class or Part Thereof by Peti- tion to Court		410-420
(1) Where Territory Is in One County		410-413
(2) Where Territory Is in Two or More Counties		415-420
(c) [By] Annexation [on] of Lands in Townships of the Second Class by Petition to Coun- cil		425-427
(d) [By] Detachment of Territory	430-[438]	432
[(1) Where It Is Annexed to a Contiguous Township		430-432
(2) By Reason of Natural or Artificial [Causes		435-438]
Article V Borough Boundaries	501-[510]	508
Article VI Borough Wards	601-607	
Article VII Adjustment of Indebtedness	701-722	
(a) When Borough Incorporated [from a Township or Territory attached		701-708
[(b) When Boroughs Re-established		710-712
(c) When Limits Are Changed or Boroughs Divided 715-718]		
[(d)] (b) When Territory Is Detached	720-722	
Article VIII Election of Officers	801-850	
(a) General Provisions Relating to Elected Offi- cers		801-807
(b) Councilmen	810-[817]	816
(c) Burgess	820-[821]	
[(d) High Constable		825]
(e) Auditors		830
[(f) Borough Treasurers and Street Commissioners in Certain Boroughs		835]

[g] (f) Controller	840	(4) Assessment on Property Outside Limits Where Boundary Line Street Entirely Within Borough	1740-
[h] (g) Assessors	845	(5) Streets Outside Limits	1745-
[i] (h) Tax Collector	850	[(e) (c) Maintenance and Improvement of Condemned and Abandoned Turnpikes	1750
Article IX Vacancies in Office	901-906	[(f) (d) Maintaining and Improvement of Streets Connecting County Roads	1755-1758
Article X Powers and Duties of Elected Borough Offi- cers	1001-[1081] 1080	[(g) Expenditures for Street Improvement	1760-]
(a) Council	1001-[1018] 1017	[(h) (e) Use of Abutting Lands for Embankments Slopes Fills and Culverts	1765-
(b) Burgess	1020-1030	[(i) (f) Special Tax and [Sinking] Special Fund for Street Improvement	1770-1771
[(c) High Constable	1031-1034	[(j) (g) Collection by Instalment of Cost of Grading and Improving Streets	1775-[1783] 1781
[(d) (c) Auditors	1035-1053	(h) Collection of Cost of Street and Sidewalk Im- provement by Instalment	1785-1790
[(e) (d) Controller	1055-1070	Article XVIII Sidewalks	1801-1817
[(f) (e) Assessors	1075	(a) Grading Paving Repairing Sidewalks Curbs and Gutters	1801-[1808] 1809
[(g) (f) Tax Collector	1080-[1081]	[(b) Laying Out Sidewalks Gutters and Drains Along the Sides of Turnpike Roads	1810-1813
Article XI Powers [and] Duties and Rights of Ap- pointed Officers and Employees 1101-[1162]	1190	[(c) (b) Emergency Repairs to Sidewalks 1815-1817	
(a) General Provisions	1101-1104.1	Article XIX Contracts With Street Railways	1901-1902
(b) Treasurer	1105-1106	Article XX Bridges and Viaducts	2001-[2031] 2021
(c) Secretary	1110-1111	(a) General Power	2001-2002
(d) Street Commissioner	1115-[1116]	(b) Over Boundary Streams	2005-
(e) Solicitor	1120-1123	(c) Over Railroads	2010-2021
(f) Police	1125-1136	[(d) Condemnation of Toll-Bridges	2025-2031]
(g) Borough Manager	1140-1142	Article XXI Sewers	2101-[2173] 2180
(h) Borough Planning Commission	1145-1150	(a) [Laying Out and Assessment According to Bene- fits] Construction of Sewers and Sewage Treatment Works	2101-[2102] 2113
(i) Bureau of Mine Inspection and Surface Sup- port	1155-1162	[(b) Sewer Systems and Assessment According to Foot-Front Rule	2105-2113]
(j) Civil Service for Police and Firemen	1165-1190	[(c) (b) Construction of Sewers Outside Cartway and Curb Lines	2115-2116
Article XII Corporate Powers	1201-1202	[(d) (c) Joint Sewers	2120-2125
Article XIII Taxation and Finance	1301-[1312] 1311	[(e) (d) Power to Supply Sewage Service Outside Borough Limits	2130-2132
Article XIII.1 Contracts	1315-1324	[(f) (e) Acquisition of Sewer System	2135-2136
Article XIV Eminent Domain; Assessment of Dam- ages and Benefits	1401-[1452] 1453	[(g) (f) Collection by Instalment of Cost of Building and Acquiring Sewers	2140-2149
(a) General Provisions Relating to Eminent Domain	1401-1417	[(h) (g) Sewer Connections	2155-2156
(b) Procedure for the Exercise of Eminent Domain and the Assessment of Damages and Benefits by Viewers	1420-[1452] 1453	[(i) (h) Unlawful to Build Within Line of Sewers	2160- 2165-
Article XV Damages for Injury to Property 1501-1505		[(j) (i) Opening Sewers	2165-
Article XVI [Locating] Laying Out Opening Widening Extending Straightening and Vacating Streets	1601 [1671] 1669	[(k) (j) Assessment of Cost of Maintenance and Repair	2170-2173
(a) Surveying Laying Out Opening Widening Straightening Extending and Vacating Streets Et Cetera Without Petition	1601-1607	(k) Sewers on Boundary Streets	2174-2175
(b) Opening Widening Straightening Extending and Vacating Streets Et Cetera on Petition to Council	1610-1615	(l) Non-debt Revenue Sewer Bonds	2180-
(c) Opening Widening and Straightening Roads Partly within a Borough	1620-1627	Article XXII Water Courses	2201-2226
(d) Time Within Which Streets Are to be Opened	1630-1631	(a) Widening and Deepening Water Courses 2201-2204	
[(e) Vacation of Roads Laid Out by the Common- wealth	1640-1641	(b) Vacation and Alteration of Water Courses	2210- 2217
[(f) (e) Vacation of [Lanes and Alleys] Streets Declared Nuisances [by Board of Health]	1650-1657	(c) Confining and Paving Water Courses	2220-2226
[(g) (f) Plans and Location of Streets 1660-[1665]	1669	Article XXIII Electric Wires	2301-2305
[(h) Grade Crossings	1670-1671	Article XXIV Public Service	2401-[2485] 2492
Article XVII Street Improvement	[1701-1783] 1712-1790	(a) Water Supply and Water-Works	2401-2462
[(a) Grading Paving and Curbing Streets and As- sessment of Damages	1701-1703	(1) General Powers to Supply Water 2401-2408	
(b) Grading Curbing Paving Macadamizing Streets on Petition and Assessment According to Benefits	1705-1709]	(2) Acquisition by Eminent Domain 2410-2412	
[(c) (a) Grading Curbing Paving or Macadamizing Streets and Collection of Cost by Foot-Front Rule	1712-1714	(3) Acquisition by Purchase After Appraise- ment	2415-[2424] 2421
[(d) (b) Grading Curbing Paving Macadamizing Boundary Streets and Streets Outside Limits	1725-1745	(4) Power to Lease Waterworks	2430-2433
(1) By agreement with Municipalities and Townships	1725-1727	(5) Joint Waterworks	2435-[2436] 2437
(2) By agreement with Counties and Town- ships	1730-	(6) Condemnation of Lands for Road Pur- poses and to Prevent Contamination	2440-2444 2450-2462
(3) Streets More Than One-half the Width of Which are Within the Borough	1735-	(7) Commission of Waterworks ..	2470-2479
		(b) Manufacture and Supply of Electricity ..	2470-2479
		(c) Operation of Gas Wells for Municipal Purposes	2485-
		(d) Airports	2490-2492
		Article XXV Public Building and Works 2501-	
		[2527] 2523	
		(a) Eminent Domain General [Powers] Provisions	2501-[2512] 2505
		(b) Garbage [and Treatment Works] Plants 2520-	
		[2527] 2523	

Article XXVI	Wharves and Docks	2601-2616	2608
Article XXVII	Parks Shade Trees Forests	2701-2757	
(a)	Parks and Playgrounds [Etc] Et Cetera	2701-	
		[2724]	2719
(b)	Shade Trees	2730-2746	
(1)	Shade Tree Commission	2730-2739	
(2)	Power of Boroughs as to Shade Trees	2746-2746	
(c)	Forests	2750-2757	
Article XXVIII	Burial Grounds	2801-2817	
Article XXIX	Licenses and License Fees	2901-2923	
(a)	Auctioneers	2901-	
(b)	Foreign Dealers	2905-	
(c)	Transient Retail Merchants	2910-[2912]	
(d)	Vehicles	2915-	
(e)	Restrictions	2920-2923	
Article XXX	Real Estate Registry	3001-3006	
Article XXXI	Enforcement of Ordinances ..	3101-3111	
Article XXXII	Board of Health	3201-3214	
Article XXXIII	Zoning	3301-3310	
Article [XXXIII]	XXXIV Actions By and Against Boroughs	[3201-3210]	3401-3410
(a)	Municipal Claims	[3201]	3401-
(b)	Defenses by Taxpayers	[3205-3208]	3405-3408
(c)	Liability in Bond Transfers	[3210]-3410	
Article [XXXIII]	XXXV Acts of Assembly Repealed Saving Clause	[3301]	3501

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 1 to 229 inclusive of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as hereby reenacted revised and amended to read as follows

Section 1 Be it enacted &c That the law for the government and regulation of boroughs is hereby reenacted revised amended and consolidated as follows

Article I

Preliminary Provisions

Section 101 Short Title This Act shall be known and may be cited as "The [General] Borough [Act]" Code"

Section 102 Excluded Provisions This Act does not include any provisions and shall not be construed to repeal any acts relating to

(a) The assessment [of taxes] and valuation of property and persons for the purposes of taxation and the collection of taxes

(b) The [procedure for the] collection of municipal claims by liens

(c) The [amount and] method of incurring or increasing indebtedness

(d) [Election officers and conduct] Conduct of elections

[(e) Poor Districts

(f) Boards of Health]

[(g)] (e) Common Schools

[(h)] (f) Borough and Ward Constables

[(i)] (g) Justices of the Peace

[(j)] (h) The giving of municipal consent to public service corporations

[(k)] (i) State roads [State-aid roads] and private roads

[(l)] (j) Validations of elections bonds ordinances and acts of corporate officers

(k) free non-sectarian libraries

[(m) Crimes and offenses by borough officers

(n) Zoning]

(l) Any of the provisions of the Penal Code

Section 103 Construction of Act Generally The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded nor affect the corporate existence of any borough heretofore incorporated The provisions of this act shall not affect any act

done liability incurred or right accrued or vested or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws All ordinances regulations and rules made pursuant to any act of Assembly repealed by this act shall continue with the same force and effect as if such act had not been repealed Any person holding office under any act of Assembly repealed by this act shall continue to hold office until the expiration of the term thereof subject to the conditions attached to such office prior to the passage of this act

Section 104 Constitutional Construction The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 105 Construction of References Whenever in this act reference is made to any act by title such reference shall also apply to and include any codification wherein the provisions of the act referred to are substantially reenacted

Section 106 Boroughs to which Act Applies This act shall apply to all boroughs incorporated under general law and to all boroughs incorporated under special law which have accepted the provisions of the act of April third one thousand eight hundred and fifty-one (P. L. 320) entitled "An act regulating boroughs" and also to all boroughs incorporated since April third one thousand eight hundred and fifty-one by special act of Assembly which by the act of incorporation have been given the general powers of boroughs incorporated under the general law and also to all boroughs incorporated under or which have accepted the provisions of the act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. [three hundred and twelve] 312) entitled "An act providing a system of government for boroughs and revising amending and consolidating the law relating to boroughs" This act shall not annul or repeal any local or special act in force at the date of the passage of this act or any provision thereof nor shall this act repeal any act so far as any such act applies to or may have heretofore applied to any boroughs incorporated under special act of Assembly and to which boroughs as limited by the provisions of this section this act does not apply

The provisions of this act in so as similar provisions of the said act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. [three hundred and twelve] 312) were extended to boroughs acting under local laws shall apply to such boroughs incorporated under local laws

Section 107 Acceptance of Act by Boroughs and Incorporated Towns Any borough or incorporated town incorporated or acting under any local or special act of Assembly may surrender the provisions of its special and local acts in their entirety or so far as they are inconsistent with this act and be governed by the provisions of this act by presenting a petition to the court of quarter sessions of the [proper] county setting forth the desire of such borough or incorporated town to accept the provisions of this act The petition shall also set forth whether it is the desire of the petitioners to surrender all of the provisions of its special and local acts or to retain such provisions of its special and local acts as are not inconsistent with this act Such petition shall be made by the burgess and council or by [twenty-five qualified] at least ten per centum of the registered electors of the borough or incorporated town as of the date the petition is filed

Upon the presentation of the petition the court shall fix a day for hearing of which such notice shall be given as may be directed by the court At such hearing any inhabitant of the borough or incorporated town may remonstrate against the granting of the petition and the court may grant or refuse the petition as to it appears just and proper

If the court grants the petition the decree of the court shall be recorded in the office for the recording of deeds

and thereafter the borough or incorporated town shall be subject to all the provisions of this act and any such incorporated town shall become a borough and the local and special acts of Assembly in force in any such borough or incorporated town shall be annulled in their entirety or so far as they are inconsistent with the provisions of this act as may be set forth in the petition in the particular case. When any incorporated town accepts the provisions of this act the decree of the court permitting such acceptance shall set forth the title of the new borough.

When any borough or incorporated town shall accept the provisions of this act as provided by this section all liabilities incurred rights accrued or vested obligations issued or contracted and all suits and prosecutions pending or to be instituted to enforce any right or penalty accrued or punish any offense committed prior to such acceptance and all ordinances shall continue with the same force and effect as if no such acceptance had been made.

Section 108 [When Act goes into Effect] Effective Date This act shall go into effect on the first day of July one thousand nine hundred and twenty-seven. This reenactment revision amendment and consolidation of the borough law shall become effective on the first day of July one thousand nine hundred and forty-seven.

Section 109 Publication of Notices Wherever in any of the provisions of this act notice is required to be given in one newspaper in the county such notice shall be published in a general newspaper published within the limits of the borough [or district] affected or if none is published therein then in a general newspaper of the county or adjacent county circulating in such borough [or district] and such notice shall also be published in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements when such notice refers to any proceeding in any court of the holding of elections for the increase of indebtedness or the sale of bonds unless such publication [be] is dispensed with by special order of the court.

Section 110 Terms of Existing Officers Saved This reenactment revision amendment and consolidation of the borough law shall not be construed as affecting or terminating the term of any officer of a borough holding office at the time the same becomes effective.

Section 111 Definitions As used in this act unless the context clearly indicates otherwise the following words and terms shall be construed as follows:

"Corporate authorities" or "corporate officers" means the borough council even though the action taken is by ordinance which is subject to the approval or veto of the burgess.

"Street" means and includes any street road lane court alley and public square.

"Highway" means a state highway of the Commonwealth of Pennsylvania.

Article II

Creation of Boroughs

(a) Incorporation of Boroughs

Section 201 Towns and Villages [and certain townships of the first class] may be incorporated. The courts of quarter sessions may incorporate any town or village or any two or more towns or villages [or any township of the first class having a population of eight thousand or more] within their jurisdiction into a borough. Every town or village [and every such township of the first class] or towns or villages so incorporated shall be a body corporate and politic by the name which shall be [given] decreed by the court.

Section 202 Applications for Incorporation The application for incorporation shall be [either] by a petition signed by a majority of the freeholders residing within the limits of the proposed borough which signatures must be secured within three months immediately preceding the presentation thereof to the court [or by petition presented by the township commissioners of a township of the first class having a population of eight thousand or more in pursuance of a resolution duly adopted thereby a certified copy of which shall be presented to the court and filed

with said petition]. Such petition shall be subscribed by and sworn to by at least one of the signers. The number of signers required to the petition shall be ascertained as of the date the petition was presented to court.

Section 203 Contents of [application] Petition The [application] petition shall set forth the [title] name of the proposed borough with a particular description of the boundaries thereof exhibiting the courses and distances [in words at length] and be accompanied with a plot of the same.

Section 204 Filing of [application] Petition Notice Decree costs. Upon presentation to the court the [application] petition shall be filed with the clerk and notice thereof shall be given in one newspaper in the county and in the legal journal if any for a period of not less than thirty days immediately [before the next regular term] following the filing thereof during which time exceptions may be filed to the [application] petition by any person interested. The notice shall be published once a week for four consecutive weeks. The notice shall state when and where the petition was filed and the time during which exceptions may be filed to the petition. The court [at said term] if it shall find after hearing that the conditions prescribed by this article have been complied with may grant the prayer of the petitioners and make a decree accordingly but if the court shall deem further investigation necessary it may make such order thereon as to right and justice shall appertain. The [application] petition and decree shall be recorded in the recorder's office of the county at the expense of the [applicants] petitioners who shall also pay all other expenses and costs in connection therewith [except in cases where the township commissioners of any township of the first class having a population of eight thousand or more shall have instituted such proceedings of their own motion all the costs and expenses of such proceedings or pertaining thereto shall be paid out of the general funds of the township].

Section 205 When Borough Government Becomes Effective When the [application] petition and decree have been recorded such [part of a township or townships] town village or towns or villages shall become an incorporated borough and shall be entitled to the several rights privileges and immunities conferred by this act subject however to the provisions of section two hundred eleven of this act [as hereinafter amended].

Section 206 Exclusion of Farm and Unsettled Lands When in any [application] petition for the incorporation of a borough the boundaries fixed by the petitioners shall embrace lands exclusively used for the purpose of farming or other large and unsettled lands the court may if it deem such land does not properly belong to the proposed borough at the request of [the] any party aggrieved change the boundaries so as to exclude therefrom the land used for farming or such other purposes.

Section 207 Corporate Name The corporate name of boroughs incorporated under this act shall be "The Borough of"

Section 208 Requisites of Charter The decree of the court shall constitute the charter of the borough. All charters granted under this act shall set forth:

First The corporate name of the borough.

Second The boundaries thereof.

Section 209 Appeals to Superior Court An appeal to the Superior Court may be had in the manner provided by law for appeals to said court from any decree incorporating a borough [within three months from the date of such decree] by [not less than three persons] any person aggrieved thereby.

Section 210 Certificates of Clerk of Court Fees Penalty [The] When a borough is created the clerk of the court of quarter sessions in each county within thirty days shall certify to the Department of Highways and to the Secretary of Internal Affairs [the establishment of all new boroughs within said county certification to be made within thirty days after the establishment of] a copy of

the decree of court incorporating such borough For such services the clerk shall be allowed a fee of three dollars and fifty cents (\$3.50) to be paid as part of the cost of the proceeding [For each certification furnished under the preceding provisions of this section the clerk of the court of quarter sessions shall receive the sum of three dollars and fifty cents (\$3.50) to be paid by the State Treasurer upon warrant from the Auditor General out of moneys not otherwise appropriated]

[The failure or neglect of any] Any clerk of the court who shall fail neglect or refuse to furnish such [certification to the Department of Highways] certifications or either of them as herein provided shall [be deemed a misdemeanor and] upon conviction [any such clerk shall be punished by] in a summary proceeding to pay a fine of not more than fifty dollars [(\$50)]

[The clerk of the court shall also furnish a certified copy of the final decree to the Secretary of Internal Affairs of the Commonwealth for which service he shall receive a fee of one dollar (\$1) to be paid as part of the costs of the proceeding]

Section 211 Existing Government Preserved Temporarily Organization of Borough The [charters of the] said town village or towns or villages [or township of the first class or whatever powers of government apply thereto] shall continue [in full force and operation and] to be governed as before said incorporation [all officers under the same shall hold their respective offices] until the first Monday of January following the municipal election next succeeding occurring at least ninety days after the issuance of the final decree establishing such new borough at which time the officers of said borough chosen in accordance with section eight hundred five of this act at [the preceding] such municipal election shall enter upon their respective terms of [service] office and the borough government shall be duly organized under this act

[Whenever in the organization of the borough government of any newly established borough any person is elected by council to any office for which this act provides a definite term and fixes a definite time for the election of persons thereto the persons so elected shall serve only for such time as intervenes between his election and the next ensuing day fixed by this act for the election of such officer]

Section 212 Marking Borough Boundaries The boundaries of the borough shall as soon as practicable after its incorporation be appropriately marked due notice being first given to the commissioners and supervisors of adjoining townships and to the corporate authorities of adjoining municipalities

(b) Consolidation of Boroughs

Section 215 Adjacent Boroughs may be Consolidated Whenever two or more boroughs situate in the same county or in different counties shall be adjacent and of compact territory they may be consolidated into one borough

Section 216 Joint Agreement for Consolidation Decree of Court Such consolidation shall be made under the following conditions

(a) The councils of the boroughs may of their own initiative or shall within sixty days after each is requested in writing by at least [one hundred qualified] ten per centum of the registered electors of the respective borough enter into a joint agreement under the corporate seal of each borough for the consolidation thereof into one borough The joint agreement shall set forth the name of the new borough the number of wards if any into which the borough is to be divided and the territorial boundaries thereof Where such agreement provides for wards if the consolidation becomes effective two councilmen shall be elected in each ward It may also set forth such terms as have been agreed upon for the disposition of the assets of each of the boroughs and for the liquidation of the indebtedness of each of the boroughs either jointly separately or in certain defined proportions and the ad-

justing and paying of the same by separate rates of taxation on all property subject to taxation within the boundaries of such boroughs respectively

(b) If the councils are unable to effect such joint agreement within sixty days after each shall [be] have been requested so to do in writing as aforesaid or if for any reason the councils fail to effect such joint agreement within said sixty-day period the court of quarter sessions of the county or of any of the counties in which any of said boroughs are situate shall if satisfied after petition or petitions presented by at least ten per centum of the [qualified] registered electors of each borough and hearing held thereon that the councils have failed after being duly requested in writing as aforesaid to enter into such joint agreement enter a decree for an election to be held in said boroughs on the question of consolidation of said boroughs into one borough [-the] The decree [to] of the court shall fix the date for such election designate the name of the new borough (which name shall be as prayed for in the petition or petitions) the number of wards if any into which the consolidated borough is to be divided the territorial boundaries thereof and for the election of two councilmen in each such ward and shall also set forth such terms as appear equitable just and proper to the court for the disposition of the assets of each of the boroughs and for the liquidation of indebtedness of each of the boroughs either jointly separately or in certain defined proportions and the adjusting and paying of the same by separate rates of taxation on all property subject to taxation within the boundaries of such boroughs respectively

The court shall direct the county [commissioners] board of elections to furnish to each election district in such boroughs the necessary ballots and supplies for such election

On presentation of such petition or petitions the court shall fix a date for hearing which shall be held within thirty days from the date of presentation of the petition or petitions Notice of the time and place of the hearing shall be given by the [president and] secretary of each of the boroughs at least fifteen days before the date fixed for the hearing in such manner as may be provided by order of court

The petition or petitions aforesaid may be presented to court at any time after councils have failed to enter into a joint agreement in response to the written request aforesaid [within the sixty-day period aforesaid]

Section 217 [Election] Elections on Question of Consolidation The question of the consolidating of such boroughs shall be submitted to the vote of the [qualified] electors of each of the boroughs at a special election to be held on the day to be designated in the joint agreement or in the decree of court as the case may be Such election shall be held on the day of any general municipal or primary election The election shall be held by the legal election officers and in accordance with the provisions of the laws regulating general elections [If such special election shall be ordered within ninety days of any general or municipal election the election shall be held on the day fixed for the holding of such election] Notice of such election shall be given [by proclamation by the high constables of the respective boroughs in the manner prescribed for proclamations for elections for municipal officers] in such manner as may be prescribed by the court

The election shall be by ballot [which shall be marked "Proposed consolidation" and below shall be printed the words "For consolidation" and "Against consolidation" and the elector shall designate with an "X" his desire to vote for or against such consolidation] and the question to be submitted shall be framed by the County Board of Elections in the manner provided by the Pennsylvania Election Code

If the majority of the votes cast [for and against the proposed consolidation] on the question submitted at such election in each of the boroughs is in favor of the consolidation of the [two] boroughs that fact shall be certified to the council of each of the boroughs by the [respective

election boards or return judges] County Board of Elections and the burgess and secretary of the respective boroughs shall cause a certification of the result to be endorsed upon the said agreement if the councils have entered into an agreement or if not then on a certified copy of the decree of court.

Section 218 Agreement or certified copy of decree to be [filed with Secretary of Commonwealth letters patent] recorded effect thereof The agreement or a certified copy or copies thereof with all its endorsements or a certified copy of the decree of the court of quarter sessions with all its endorsements shall be [filed in the office of the Secretary of the Commonwealth Upon the filing thereof the Governor shall cause letters patent to be issued under the great seal of the Commonwealth consolidating the boroughs into one corporation by the name set forth in the joint agreement or decree of the court of quarter sessions A copy of such agreement or of such decree duly certified by the Secretary of the Commonwealth under the seal of his office shall be evidence of the existence of the new borough] recorded in the office for the recording of deeds in said county or counties and when so recorded shall constitute the charter of the consolidated boroughs

Section 219 Payment of costs and expenses All costs and expenses incurred in such consolidation or proposed consolidation except those incurred in any general [or] municipal or primary election at which the question of consolidation is submitted shall be paid by the consolidated borough if such consolidation takes place and if not such costs and expenses shall be paid in equal shares by each of the boroughs proposing to consolidate

Section 220 Effect of Consolidation [Upon the issuance of letters patent the several boroughs shall be a borough under the name provided in the agreement] The ordinances in force in each of such boroughs at the time of such consolidation shall continue in force throughout the territory for which they were originally enacted until altered or repealed by the council of the consolidated borough All rights privileges and franchises of each of the boroughs and all the property real personal and mixed and all debts due on whatever account and other things in action belonging to each of such boroughs shall be vested in the new borough The title to real estate vested in either of such boroughs shall not revert or be in any way impaired by reason of such consolidation All rights of creditors and liens shall be preserved and all debts liabilities and duties of either of such boroughs shall attach to such new borough and be enforced against it

Section 221 Jurisdiction over Consolidated Boroughs Any borough formed by the consolidation of boroughs situate in different counties shall be governed for borough and school purposes as one borough and for county and [poor] institution district purposes as a part of the county and [poor] institution district in which the territory is actually situated in accordance with [the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 903) entitled "A supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. 312) 'An act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs' so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws" providing for the government of boroughs where land lying in one county is annexed to a borough situate in another county] existing laws

Section 222 Existing Governments Preserved Temporarily The boroughs so consolidated shall continue to be governed as before consolidation until the first Monday

of January following the municipal election next succeeding occurring at least ninety days after the agreement or certified copy of the decree of court has been filed for recording at which time the officers of the consolidated borough chosen in accordance with section 805 of this act at such municipal election shall enter upon their respective terms of office and the borough government of the consolidated borough shall be duly organized under this act and the former borough governments shall cease to exist

(c) [Re-Establishment of Boroughs] Creation of Boroughs from Cities of the Third Class

Section 225 [Petitions to re-establish boroughs forming part of third class cities Where cities of the third class have been formed by joining together two or more boroughs the court of common pleas upon the petition of not less than one-third of the registered electors of the territory formerly comprised within the limits of either of such boroughs setting forth that the inhabitants of such territory wish to separate from the city and establish a borough organization may appoint three commissioners who shall investigate the facts set forth in such petition and report to the court as to the expediency of granting the prayer of the petitioners] petition for creation of borough from a city of the third class The court of quarter sessions shall upon petition of at least ten per centum of the registered electors of any city of the third class setting forth that the inhabitants of the city desire to change the charter of such city to a borough charter and be governed by the laws of the Commonwealth relating to boroughs and that such city has had the city form of government for a period of at least five years order an election to be held on the next day appointed for the holding of a general municipal or primary election occurring at least ninety days after the presentation of such petition At such election the electors shall vote for or against the change of the charter of the city to a borough charter and the adoption of the borough form of government The petition shall set forth the name of the proposed borough The number of registered electors required to sign the petition shall be determined as of the date the petition is filed

Section 226 [Report of commissioners If the commissioners report in favor of setting off the territory from the city they shall accompany their report with a plot of such territory formerly comprising said borough or any such part thereof as may be described in the petition] Filing petition notice of election return Upon the presentation of any such a petition the court shall determine whether the petition is in due form and properly signed and if the court so finds it shall enter an appropriate order and direct that the petition shall be filed with the clerk of the court and that a copy of the petition and order of court shall be filed with the county board of elections The county board of elections shall frame the proper question to be submitted to the electors at the election ordered by the court Notice of such election shall be given in at least one newspaper of general circulation of the proper county once a week for four consecutive weeks of the time of such election and the purpose thereof The publication of the notice shall be made on behalf of the petitioners and shall be in form as the court may approve

The county board of elections shall make return of the vote cast on the question submitted to the clerk of the court of quarter sessions which return shall be filed with the petition If a majority of those voting on the question submitted were in favor of the change of the charter of the city to a borough charter the court shall order that the record of the proceedings be recorded in the office for the recording of deeds of the county which record shall constitute the charter of the borough under the name set forth in the petition If a majority of those voting on the question were against the change of the city charter no further proceedings shall be had and the same question shall not again be submitted for a period of five years following such election

Section 227 [Vote on separation The court shall there-

upon order an election to be held on the next appointed day for the holding of a general or municipal election at which time the qualified electors within such territory shall vote for or against such separation] When borough government effective Upon the recording of the record of the proceedings as above provided the city form of government shall continue in operation until the first Monday of January next succeeding the first municipal election occurring at least ninety days after the recording of the record at which time the borough government shall be organized by the officers elected at said municipal election in accordance with section 805 of this act

Section 228 [Decree of court appointment of borough officers If a majority of votes cast for and against such separation at such election shall be in favor of such separation the court shall make a decree declaring such territory a borough and appoint one person qualified to serve as a member of the Senate of this Commonwealth to be the burgess of such borough and seven persons qualified to serve as Members of the House of Representatives of this Commonwealth to constitute the council thereof Such officers shall hold their respective offices until the first Monday of January next succeeding the municipal election at which a burgess and council are to be elected as provided in article eight of this act] Property assets liabilities ordinances wards elections districts and certain officers Upon the formation of the borough government all of the property and assets of the city shall become the property of the borough and such change of government shall not in any way affect any liabilities incurred rights accrued or vested obligations issued or contracted or any suits or prosecutions pending or instituted to enforce any right or penalty accrued or punish any offense committed prior to such change All ordinances of the former city shall continue in force in the new borough until altered or repealed in the manner provided by law The wards and election districts of the city shall become the wards and election districts of the borough until altered or changed as may be provided by law And in the election of councilmen from the several wards two councilmen shall be elected from each ward unless thereafter changed as provided by law All constables aldermen and election officers in office in the city when the borough government is organized shall remain in office until the expiration of their respective terms of office

Section 229 [When borough government takes effect From the date of such decree the territory so erected into a borough shall be separate from such city and shall be subject to the provisions of this act The prothonotary shall furnish a certified copy of the decree to the Secretary of Internal Affairs of the Commonwealth for which service he shall receive a fee of one dollar to be paid as part of the costs of the proceeding] Costs and expenses Where proceedings are had to change the charter of a city to a borough and the vote of electors is in favor of the change the costs and expenses of the proceeding including all costs of advertising shall be paid by the city otherwise such costs and expenses shall be taxed against the petitioners

Section 2 Sections 230 235 236 237 238 239 and 240 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 3 Sections 301 to 406 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article III

Annulment of [Borough] Charters and Change of Corporate Names

Section 301 Petitions for Annulment of Charters or Change of Corporate Names The [several] court of quarter sessions [within this Commonwealth] shall [have power] upon petition of [two-thirds] at least ten per centum of the [taxable inhabitants] registered electors of any borough [heretofore incorporated to decree the annulment] setting forth that the inhabitants of such borough desire to annul the charter of the [charter] borough or [thel] to change [of] the corporate name of

such borough order an election to be held on the next day appointed for the holding of a general municipal or primary election occurring at least ninety days after the presentation of such petition at which election the electors of the borough shall vote for or against the annulment of the charter or the change of name of the borough as the case may be In the case of an annulment of charter such petition shall set forth that the petitioners desire that the territory embraced within such borough shall revert to and become a part of the township from which it was taken or that it shall be created a new township of the second class in which case the petition shall also set forth the proposed name of the new township

Section 302 Filing Petition Notice of Election Return [Exceptions Decree] Upon presentation of such petition for annulment or change of corporate name to the court and the entry of the court order thereon after determination by the court that the petition is in due form and properly signed it shall be filed with the clerk [and notice thereof] and a copy of the petition and order of court shall also be filed with the county board of elections which shall frame the proper question to be submitted to the electors at the election ordered by the court Notice of the election shall be given in at least one newspaper of general circulation of the proper county [for a period of not less than thirty (30) days immediately preceding the date of such hearing and during which time exceptions may be filed to such application by any person interested and at such hearing the court shall make a full investigation of the case and if it shall find that the conditions prescribed by law have been complied with and shall believe that it is expedient to grant the prayer of the applicants shall grant the same and make a decree accordingly and said application and decree shall be recorded in the recorder's office of the proper county] once a week for four consecutive weeks of the time of such election and the purpose thereof The publication of the notice shall be made on behalf of the petitioners in form as the court may approve The county board of elections shall make return of the vote cast on the question submitted to the clerk of the court of quarter sessions which return shall be filed with the petition If a majority of those voting on the question submitted were in favor of the annulment of the charter or the change of the corporate name as the case may be the court shall order that the record of the proceedings shall be recorded in the office of the recorder of deeds otherwise no further proceedings shall be had

Section 303 Territory to Revert to Township Corporate Name Changed Indebtedness Upon the recording [and filing of such decree] of the record as above provided in case of an annulment of charter the lands embraced within the limits of such borough the charter of which is annulled shall thereupon in accordance with the prayer in the petition either revert to and become a part of the township from which it was taken and be under and subject to its government and control or shall become a new township of the second class under the name set forth [in the decree of court Provided however That any indebtedness of such borough shall in cases where such borough reverts to a former township] in the petition In cases where a borough reverts to the township from which its territory was taken the government of the borough shall cease and terminate on the first Monday of January next succeeding the election on the question of the annulment of the charter and the property and assets of the borough including all uncollected taxes and liens shall be converted into cash by the township supervisors and shall be applied only to the payment of the outstanding indebtedness of the borough but any moneys not needed for such purposes shall revert to the township and any borough indebtedness not paid as above provided shall be paid from the taxes assessed and collected from that portion of said township formerly included within the limits of such borough [And provided That in] In the case of a change of the corporate [title] name the cor-

porate [title] name of said borough shall [thereafter] from the date of the recording of the record of the proceeding be as set forth in said [decree] petition but such change shall not in any way affect any liabilities incurred rights accrued or vested obligations issued or contracted or any suits or prosecutions pending or instituted to enforce any right or penalty accrued or punish any offense committed prior to such change

All costs and expenses incident to the proceedings for the annulment of the charter or change of the [title] name as aforesaid shall be paid by the petitioners to secure the payment of costs and expenses the court may require the petitioners to file a bond in such sum as it may fix

Section 304 Officers Where a New Township is Created Where a new township of the second class is created by the annulment of the charter of a borough officers for such township shall be provided in the manner provided by the laws relating to townships of the second class for such cases and the new township government shall become effective on the first Monday of January next succeeding the municipal election occurring at least ninety days after the recording of the proceedings at which time the officers of the new township shall be elected as provided by the laws relating to townships of the second class for such cases

Article IV

Change of Borough Limits

(a) [On Petition of Freeholders] Annexation of Townships of First Class or Parts Thereof

Section 401 [Power to Change Borough Limits] The court of quarter sessions with the concurrence of the grand jury may upon petition change the limits of any borough heretofore incorporated by the court of quarter sessions from a town or village or incorporated under the provisions of this act] petition for annexation of a township of the first class or parts thereof Registered electors equal to at least ten per centum of the registered electors in any township of the first class contiguous to a borough or ten per centum of the registered electors residing within any part of a township of the first class contiguous to a borough may petition the council of such borough for the annexation of the township of the first class or part thereof as the case may be to the contiguous borough and for a referendum on the question of such annexation The number of registered electors required to sign a petition shall be determined as of the date the petition is filed All petitions shall be accompanied by a plot or plots of the territory to be annexed showing all streets and highways municipal improvements and public buildings All petitions for the annexation of a part of a township of the first class shall include a description of the part of the township sought to be annexed

Section 402 [Limitation of Power] The provisions of the preceding section do not authorize a change of borough limits by the detachment of territory and its annexation to a contiguous township] Referendum in township and borough The council of the borough shall cause a question to be submitted at the first general municipal or primary election occurring at least sixty days after the petition has been filed with it by certifying an ordinance duly adopted to the county board of elections in which any part of the township or borough is located for the submission of a proper question on the ballot or on voting machines at such election in such township and in the borough to which the annexation is to be made as provided by the Pennsylvania Election Code Where a part of a township is involved the question submitted shall give a brief description of the territory to be annexed to the borough

Section 403 [Notice of Application] Notice of the intended application shall be given in at least one newspaper of the county for a period of not less than thirty days immediately before the presentation of the petition] Result of election If a majority of the persons voting on

such question in the entire township and a majority of the persons voting on such question in the borough shall vote in favor of the annexation then the township of the first class or part thereof as the case may be shall on the first Monday of January next following be and become a part of the borough If the majority of the votes cast on the question in either the entire township or in the borough was against annexation then the annexation proceeding shall fail and the question of such annexation shall not again be voted upon for a period of two years from the date of such election

Section 404 [Signing Petition Contents] The petition shall be signed by a majority of the freeholders residing in the borough within three months immediately preceding its presentation to the court It shall set forth a description and be accompanied with a plot showing the courses and distances of the boundaries of the borough before and after the proposed change of limits] Wards Until changed in the manner provided by law the township of the first class or part thereof annexed to the borough if not divided into wards shall constitute a separate new ward of the enlarged borough if such borough is at the time divided into wards If the township or part of the township at the time of annexation was divided into wards then each ward of the township or part of the township shall constitute a separate ward of the enlarged borough (if divided into wards) and shall be consecutively numbered or otherwise appropriately designated by the council of the borough

Section 405 [Petition to Be Laid Before Grand Jury] The petition except as provided in section four hundred and two of this article shall be laid before the grand jury of the same term of court when presented whenever the same can be conveniently done and in no case later than the next subsequent term of court] Election districts and election officers Until changed in the manner provided by law all election districts in the former township of the first class or part thereof shall remain as constituted at the time of the annexation and shall become election districts of the enlarged borough All election officers of such election districts in office at the time of the taking effect of the annexation shall continue in office until the expiration of their respective terms unless sooner removed as provided by law

Section 406 [Action of Grand Jury Decree of Court] If the grand jury shall believe it expedient to grant the prayer of the petitioners they shall certify the same to the court The certifications shall be entered of record and no further proceedings had until the succeeding term of court at which term the judgment of the grand jury may be confirmed If the court shall deem further investigation necessary it may make such order as to right and justice shall appertain If the court shall grant the prayer of the petitioners the petition and decree shall be recorded in the recorder's office at the expense of the petitioners who shall pay all other expenses and costs in connection with said petition and decree] Government where lands lie in two or more counties If the lands annexed to the borough are located in a county or counties different from that of the borough they shall be governed for borough purposes as part of the borough to which annexed and for county and institution district purposes as part of the county and institution district in which actually situated in the manner provided by law in such cases

Section 4 Sections 407 and 408 of said Act of May 1927 (P. L. 519) are hereby repealed

Section 5 Sections 410 to 432 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(b) [By annexation on Petition of Freeholders Outside the Borough] Annexation of a Township of the Second Class or part thereof by petition to court

(1) Where Territory is in One County

Section 410 Annexation by Court [with concurrence of Grand Jury] Decree The court of quarter sessions [with the concurrence of the grand jury] may upon petition

change the limits of any borough by the annexation of adjacent territory located in a township of the second class

Section 411 Notice of Application Personal notice of the intended application shall be given to the burgess and council of the borough and to the [commissioners or] supervisors of the township in which the petitioners reside Notice of such application shall also be given in one newspaper of general circulation of the county [for a period of thirty days] immediately before the presentation of the petition by publication once a week for four consecutive weeks

Section 412 Signing and Contents of Petition Where the territory to be annexed is all or part of a second-class township the petition shall be signed by a majority in number of all of the freeholders [residing within such] of the territory to be annexed [Where the territory to be annexed is all or part of a first-class township the petition shall be signed by two-thirds of the resident freeholders and by the owners of three-fourths of the assessed valuation of the real estate of the territory to be annexed It] The petition shall set forth a description of the territory to be annexed and be accompanied with a plot showing the courses and distances of the boundaries of the borough before and after the proposed annexation

Section 413 [Certificate of Grand Jury] Decree of Court Costs Limitation of Subsequent Proceedings [The court shall cause the petition to be laid before the grand jury and if the grand jury shall believe it expedient to grant the prayer of the petitioners they shall certify the same to the court which certificate shall be entered of record for confirmation by the court] The court after hearing may make such order [thereon] on the petition as to right and justice shall appertain If the court shall confirm the petition the said petition and decree shall be recorded in the recorder's office of the county at the expense of the petitioners who shall pay all other expense and costs in connection with said petition and decree Thenceforth the territory so annexed shall be a part of the borough and shall become a part of the contiguous ward or wards of the borough or constitute a new ward or wards of the borough as the court in its order may prescribe If [the grand jury shall not approve or] the court shall not confirm the petition no other proceeding for the annexation of the same territory or any part thereof shall be had within five years thereafter

(2) Where Territory is in Two or More Counties

Section 415 Petition for Annexation The court of quarter sessions may upon petition annex to any adjacent borough territory in a township or townships of the second class situated in [two or more counties] a county or counties different from that of the borough

Where the territory to be annexed is all or part of a second-class township the petition shall be signed by a majority in number of all of the freeholders [residing within such] of the territory to be annexed [Where the territory to be annexed is all or part of a first-class township the petition shall be signed by two-thirds of the resident freeholders and by owners of three-fourths of the assessed valuation of real estate of such territory] and shall be presented to the courts of quarter sessions of all the counties in which the territory to be annexed and the borough are situated

Section 416 Notice of Application Notice of the intended application shall be given in one newspaper of general circulation in the territory to be annexed and in the borough [for a period of thirty days] immediately before the presentation of the petition to any of the courts by publication once a week for four consecutive weeks

Section 417 Appointment of Commissioners View Report Upon presentation of the petition the several courts shall each appoint one person as commissioner and the commissioners so chosen shall select an additional one who shall be a surveyor or registered engineer

The commissioners shall be severally sworn or affirmed within sixty days from their appointment and selection and shall view the territory sought to be annexed They shall report to the several courts [at the respective terms next following such appointment or] as soon thereafter as possible The report shall state that the commissioners were sworn or affirmed and that they were all present at the view If the commissioners favor the proposed annexation they shall accompany their reports with a plot showing the courses and distances of the boundaries of the territory proposed to be annexed and the quantity of land therein contained and the ward or wards of the borough of which such territory shall be a part or that it shall constitute a new ward or wards

Section 418 Rules on Petitioners Any person interested may petition any of the courts [at the term to which the respective report is made] for a rule on [any two or more persons signing the original petition] the petitioners to show cause why the report should not be approved The rule shall be returnable [not later than the succeeding term] within such time as the court may fix If the rule is confirmed the persons signing the original petition shall pay the costs of the entire proceedings if such rule is discharged the costs shall be paid by those petitioning for its issue

Section 419 Approval by Court Compensation of Commissioners Limitation of Subsequent Proceedings If each of the courts shall approve the report of the commissioners the whole proceeding shall be entered on the record of each court and the territory annexed shall be a part of the borough Each commissioner shall receive [five dollars per day for each day necessarily employed in the discharge of his duties] such compensation for his services as the court shall allow to be paid [if such territory is annexed by the borough] by the original petitioners If the commissioners shall not favor or if either court shall not approve the annexation no other proceeding for the annexation of the same territory or any part thereof shall be had within five years thereof

Section 420 Government of Territory Where [lands are] territory is so annexed to a borough of an adjoining county such [lands] territory [which are] so annexed shall be governed for borough [and school] purposes as a part of the borough to which they are annexed and for county [and poor] and institution district purposes as a part of the county [and poor] and institution district in which actually situated in the manner provided by [the act approved June 28 1923 (P. L. 903) entitled "A supplement to an act approved May 14 1915 (P. L. 312) entitled 'An act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs' so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws"] law in such cases

(c) [By] Annexation [on] of lands in Townships of the Second Class by Petition to Council

Section 425 Annexation Ordinance Limitation of Subsequent Proceedings Any borough may by ordinance annex adjacent land situate in a township of the second class in the same or any adjoining county upon petition [of freeholders as follows If the territory to be annexed is all or part of a second-class township the] The petition shall be signed by a majority in number of all of the freeholders of [such] the territory to be annexed [If the territory to be annexed is all or part of a first-class township the petition shall be signed by two-thirds of the freeholders and by the owners of three-fourths of the assessed valuation of the real estate of the territory proposed to be annexed Provided that if] If an ordinance to

make such annexation is defeated no other proceeding for the annexation of the same territory or any part thereof shall be had within five year thereof [The requirements of this section concerning signing of petitions shall apply to proceedings pending at the time such requirements became a part of the section as well as to subsequent proceedings]

Section 426 Procedure A certified copy of [the] any ordinance adopted together with a description and a plot showing the courses and distances of the boundaries of the borough before and after such proposed annexation shall be filed in the court of quarter sessions of the county or in case the land proposed to be annexed is situate in an adjacent county then in the courts of both counties A notice of such filing shall also be filed in the office of the county [commissioners] board of elections of the proper county Thereupon the territory proposed to be annexed shall be a part of the borough except when any ordinance and plot are filed in the office of the clerk of the court of quarter sessions within two months of any general municipal or primary election in which case the property proposed to be annexed shall not become a part of the borough until the day succeeding such election

Section 427 Government of territory Where [lands are] territory is annexed to a borough of an adjoining county such [lands which are] territory so annexed shall be governed for borough [and school] purposes as a part of the boroughs to which [they are] it is annexed and for county and [poor] institution district purposes as part of the county or [poor] institution district in which actually situated in the manner provided by [the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 903) entitled "A supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. 312) entitled "An act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs" so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws"] law in such cases

(d) [By] Detachment of Territory

[1] Where it is Annexed to a Contiguous Township]

Section 430 Petitions to detach territory The court of quarter sessions upon petition may change the limits of any borough by detaching territory therefrom and annexing the same to a contiguous township or [townships] borough in cases where the line between a borough and a township or another borough shall separate the lands of any person or where the territory of any borough is divided by reason of natural or artificial causes or where any part of a borough is so located that access to the remaining portion can be had only by passing through some other township or borough

Section 431 Signing and contents of petition The petition shall be signed by a majority in number of the [freehold residents of the borough except where the dividing line between a borough and a township shall separate the lands of any person in which case the petition may be made by any freeholder whose lands are so divided] freeholder in the territory to be detached The petition shall contain the names of the contiguous township or [townships] borough to which the territory is proposed to be annexed and shall set forth a description of the territory to be detached and be accompanied with a plot showing the courses and distances of the boundaries of such township or [townships] boroughs before and after the [proposed change of limits] annexation of the detached territory

Section 432 Filing petition notice decree Upon its presentation the court shall order the petition filed and

shall fix a time for hearing Notice of the filing of the petition shall be given to the supervisors of the [townships] township and to the secretary of the borough and president of council of each borough affected at least twenty days prior to the date of hearing If after hearing the court shall determine in favor of the proposed detachment of territory it shall state in its decree to what adjacent township or [townships] borough the territory so detached shall be annexed The petition and decree shall be recorded in the office for the recording of deeds of the county [at the expense of the petitioners] and thenceforth the boundaries of the borough and of the adjacent township or [townships] borough shall be as decreed by the court The costs of the proceedings including the cost of the recording of the petition and decree shall be paid by the petitioners

Section 6 Subheading (2) of subdivision (d) of article IV and Section 435 436 437 and 438 of said act are hereby repealed

Section 7 Article V and Sections 501 to 508 inclusive of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article V

Borough Boundaries

Section 501 Stream Boundaries Whenever any borough is bounded by the nearest margin of a navigable stream and [and] the opposite township borough or city as the case may be is also bounded by the nearest margin of the same stream the [boundaries of such borough shall extend to the center line of the stream] middle of such stream shall be the boundary between such borough and the opposite township borough or city Nothing contained in this section shall be construed to repeal any local or special law providing to the contrary

Section 502 [Court to establish] Establishment of disputed boundaries The court of quarter sessions may upon presentation of a petition [may] (a) alter the lines of a borough and any adjoining township borough or city so as to suit the convenience of the inhabitants thereof (b) cause the lines and boundaries of boroughs to be ascertained and established and (c) ascertain and establish disputed boundaries between two or more boroughs between boroughs and cities or between boroughs and townships When any such petition is presented the court may require the petitioners to file a bond in sufficient sum to secure the payment of all costs of the proceeding

Section 503 Petition to court commissioners report Upon [such] application by petition the court shall appoint as commissioners three impartial men one of whom shall be a surveyor or registered engineer to inquire into the prayer of the petition After giving notice to parties interested as directed by the court [they shall] the commissioners shall hold a hearing and view the [disputed] lines and boundaries and they or any two of them shall make a plot or draft of the lines and boundaries proposed to be altered ascertained and established if the same cannot be fully designated by natural lines and boundaries The commissioners or any two of them shall make report [to the next succeeding term of court which report shall contain their recommendations and be accompanied with a plot of the proposed boundary if the same cannot be fully described by natural lines] to the court together with their opinion of the same Upon the filing of any such report the same shall be confirmed nisi and the court may by its order require such notice to be given by the petitioners to the parties interested as it deems proper

Section 504 [Reviews exceptions and issues Any person interested may petition the court for a review or may except to the report of the commissioners When matters of fact are in dispute the court may frame an issue and certify the same for trial to the court of common pleas] exceptions and procedure Exceptions to any such report may be filed by any person or political subdivision interested within thirty days after the filing of the report

and the court may thereupon fix a day for the hearing of such exceptions of which such notice shall be given as the court may direct After hearing the court shall have power to sustain such exceptions or to dismiss them and confirm the report or to refer the report back to the same or new commissioners with like authority to make another report on which like proceedings may be had Where no exceptions are filed within thirty days after the filing of the report the court shall confirm the same absolutely When any report is confirmed absolutely the court shall enter a decree altering or ascertaining and establishing the lines and boundaries as shown in said report

Section 505 [Pay] Compensation and Expenses of commissioners Costs [The commissioners shall each receive three dollars per day except the surveyors who shall receive five dollars per day for each day necessarily employed in the performance of their duties and mileage at the rate of ten cents per mile for each mile necessarily traveled] The compensation and expenses of commissioners appointed to alter or ascertain and establish borough boundaries shall be in an amount approved by the court The court shall by its order provide how the costs and expenses of such proceeding including the furnishing and placing of monuments shall be paid and may assess them against the petitioners the borough township or municipality interested or any of them

Section 506 Boundary Monuments Whenever [a boundary is established pursuant to the preceding sections of this article] any such borough line is altered or ascertained and established the court shall cause the same to be appropriately marked [with stone monuments placed at intervals not exceeding fifteen hundred feet and the expense of establishing said boundary and the placing of said monuments when approved by the court shall be borne equally by the municipalities or townships interested]

Section 507 Boundary line between boroughs Whenever the dividing line between two adjoining boroughs is uncertain or whenever adjoining boroughs desire that the dividing line should be changed or whenever the dividing line between adjoining boroughs situate in the same county separate the property of the same owner into two or more parts the borough councils may declare and fix such boundary line or may change the same in the manner hereinafter set forth Where the proceeding involves borough lines separating the property of an owner the consent of such owner shall be secured to the change of the boundary

Section 508 Ordinances fixing lines between boroughs plots to be filed [Such] In the case of proceedings under the section immediately preceding the dividing line shall be determined and fixed or changed by ordinance passed by the councils of each borough [by the affirmative votes of not less than two-thirds of all the members elected to each of the councils and approved by the respective burgesses] A plot showing such dividing line and the changes in the same together with certified copies of the ordinances [authorizing the action taken] shall be filed in the office of the clerk of the court of quarter sessions within thirty days after the approval of the last ordinance relating to the matter

Section 8 Sections 509 and 510 of said act of May 4 1927 (P. L. 519) are hereby repealed

Section 9 Sections 601 to 607 inclusive of said act of May 4 1927 (P. L. 519) as existing prior to the amendment of May 7, 1943 (P. L. 252) are hereby reenacted revised and amended to read as follows

Article VI

Borough Wards

Section 601 Power of court to erect and change wards and to alter and establish lines The court of quarter sessions upon petition may divide boroughs into wards erect new wards [consolidate two or more wards into one ward] out of two or more adjoining wards or parts thereof

[attach land annexed to a borough to an adjacent ward or wards] consolidate two or more wards into one ward divide any ward already erected into two or more wards [or] alter the lines of any two or more adjoining wards [and may] or cause the lines or boundaries of wards to be ascertained and established

Section 602 Signing petition appointment of commissioners report The petition shall be [signed by twenty freeholder residents of the borough or of the ward] presented by the council of the borough pursuant to a resolution of the council or by at least five per centum of the registered electors of the borough or of the ward or wards whose limits it is proposed to change as the case may be Upon its presentation the court shall appoint three impartial men as commissioners to inquire into the propriety of granting [its prayers] the prayer in the petition The commissioners or any two of them shall make a report to the [next term of the] court within sixty days after their appointment and shall accompany it with a plot showing the [boundary] boundaries of the [borough and] proposed wards of the borough or the wards before and after the proposed change as the case may be whenever the same cannot be fully designated by natural lines

Section 603 Confirmation of Report Review [The] Upon its presentation the court shall confirm the report nisi which confirmation shall become absolute unless exceptions are filed [before the third day of the term next succeeding] thereto and shall direct that notice of the filing of the report shall be given by publication once in a newspaper of general circulation stating that exceptions may be filed to such report within thirty days after the same was filed The court shall confirm the report absolutely if no exceptions are filed or if it dismisses the exceptions The court may [grant] remand the report to the Commissioners for a review if in its opinion a better adjudication may thereby be secured [upon a petition presented before the third day of such succeeding term]

Section 604 Compensation of Commissioners The commissioners shall each receive [three dollars per day except a surveyor who shall receive five dollars per day for each day necessarily employed in the discharge of their duties and mileage at the rate of five cents per mile for every mile necessarily traveled] such compensation for their services as the court shall fix

Section 605 Payment of Costs Bond Such compensation and all costs and expenses incurred in such proceedings shall be paid [by the county during the term of court to which the report is made to be reimbursed] by the borough or the petitioners as directed by the court To secure such reimbursement the court may require the petitioners other than the borough council to file a bond with their petition [All other costs and expenses incurred in the erection division or alteration of wards shall be paid by the petitioners without liability upon the county]

Section 606 Terms of Officers [Officers] Whenever the court shall divide any borough into wards it shall appoint for each ward a judge and two inspectors of election to hold elections until such officers may be elected as provided by law In all other cases officers in office at the time [of] any changes are made pursuant to the preceding sections of this article shall remain in office until the expiration of the terms for which they have been elected In case any vacancy shall occur the same shall be filled by the council until the first Monday of January next succeeding the election at which such officers are to be elected as provided in article eight of this act

Section 607 Change of Names and Numbers Boroughs may by ordinance change the name of any ward to a number or change the number of any ward to name No such ordinance shall go into force until a certified copy thereof is filed with the clerk of the court of quarter sessions

Section 9.1 Sections 701 to 708 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article VII

Adjustment of Indebtedness

(a) When Borough Incorporated [from a Township] or Territory Attached

Section 701 [Boroughs to Share in Indebtedness When Incorporated Whenever a township is merged into one or more boroughs or whenever a borough is erected out of a township or parts of adjoining townships every such borough shall have in just proportion in the rights and liabilities of such townships existing at the time of its incorporation In all pending actions and actions thereafter brought by or against such townships the borough liable or entitled shall by order of court be made party plaintiff or defendant as the case may be] Indebtedness where entire township annexed Where an entire township is annexed to a borough all of the indebtedness of the township as well as the indebtedness of the borough shall be paid by the borough as enlarged by the annexation All taxes thereafter levied to pay such indebtedness shall be uniform throughout the territorial limits of the enlarged borough

Section 702 [Court to Adjust Indebtedness in Bill in Equity Whenever any borough has been erected out of a township or whenever any township has been merged into more than one borough the court of common pleas upon application by a bill in equity of any creditor of such townships or of the authorities of any such township or borough may ascertain the indebtedness of such townships including judgments against the same at the time of the incorporation of such boroughs respectively and may equitably adjust such indebtedness between such townships and boroughs and between the several boroughs into which any township shall have been merged and shall decree the proportion of such indebtedness which each township and borough shall pay In making such adjustment the township taxes then unexpended shall be taken into account] Agreement to adjust indebtedness where borough created or territory annexed thereto Whenever a borough is created out of a township or whenever a part of a township is annexed to a borough the commissioners or supervisors of the township and the council of the borough may make a just and proper adjustment and apportionment of all the public property owned by the township at the time of the incorporation of the borough or the annexation of territory from the township to the borough both real and personal including funds as well as indebtedness between the borough and township In making such adjustment and apportionment the township and borough shall be entitled respectively to share in a division of the property and indebtedness in proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the lands included within the territorial limits of the newly incorporated borough or to the assessed valuation of the lands annexed to the borough as the case may be Provided however that where indebtedness was incurred by the township for an improvement located wholly within the territorial limits of the newly incorporated borough or wholly within the limits of the territory annexed to the borough as the case may be such indebtedness shall be assumed by the borough and where any part of such improvement is located within the newly incorporated borough or within the part of the township annexed to the borough the part of such indebtedness representing the part of the improvement located within the borough or annexed territory shall be assumed by the borough and the adjustment and apportionment of any remaining debt and the public property of the township shall be made as above provided

The adjustment and apportionment as made shall be reduced to writing and shall be duly executed and acknowledged by the secretary or clerk of the township and borough and shall be filed in the office of the clerk of quarter sessions of the county

Section 703 [Assessment to Furnish Basis of Adjust-

ment The adjustment shall be based upon the assessments of the townships for the year in which such boroughs were incorporated In ascertaining the indebtedness neither pending actions nor claims against such township founded on tort shall be included unless the same shall in the meantime have been prosecuted to final judgment] Judicial adjustment on failure of agreement In case the township and the borough authorities cannot make an amicable adjustment and apportionment of the property and indebtedness within six months after the government of the newly incorporated borough is established or the territory has been annexed to a borough as the case may be then the commissioners or supervisors of the township or the council of the borough may present a petition to the court of quarter sessions asking for the appointment of an auditor not residing in the township or borough who after hearing notice of which shall be given to the township and borough as the court shall direct shall make report to the court making an adjustment and apportionment of all the property as well as the indebtedness between the township and the borough The report shall state the amount that shall be due and payable from the borough to the township or from the township to the borough and the amount of indebtedness that shall be assumed by the borough, or the township

In making such adjustment and apportionment of indebtedness the auditor shall take into consideration all of the elements set forth in the section immediately preceding

Section 704 [Notice Claims Barred Three months' notice shall be given by order of court to all persons having claims against any of such townships to present the same on or before the day therein named All persons failing to present their claims shall be forever debarred from enforcing collection of the same The notice shall be published in not less than two newspapers of the county] proceeding on judicial adjustment award The auditor shall give the township and the borough notice of the filing of their report Unless exceptions are filed to such report within thirty days after the date of the filing the report shall be confirmed by the court absolutely Any sum awarded by said report to the township or borough shall be a legal and valid claim in its favor against the borough or township charged therewith Any property real or personal given to the township or borough shall become its property Any claim or indebtedness charged against the borough or township may be collected against it

Section 705 [Court Orders Taxation The court may make all needful orders for the collection and payment by the township or borough of the share of the indebtedness apportioned to it and may order the officers of the township or borough to collect by special taxation an amount sufficient to pay the share either in one year or by annual installments] Exceptions to report In case exceptions are filed to the report of the auditor the court shall dispose of the same taking testimony therein if it deems the same advisable The court shall enter its decree confirming the award of the auditor or modifying the same as to it appears just and proper The decision of the court shall be final unless an appeal is taken to the Supreme or Superior Court as in other cases

Section 706 [Appointment of Receiver The court may appoint a receiver to whom the money due from each township and borough shall be paid The receiver shall pay over the amount so received to creditors of the township in such order or in such proportions as the court shall direct In case of any special taxation in any township or borough the collector of the special tax shall pay the same to the receiver] compensation and expenses of auditor costs The auditor shall be allowed such compensation and expenses for his services as the court shall fix The cost of the proceedings including the compensation and expenses of the auditor shall be apportioned by the court between the borough and township as it deems proper

Section 707 [Credit for Unappropriated Balances Each

borough in any of the cases aforesaid shall be credited with its proper share of any unappropriated balance in the treasury of such township at the end of the current year during which such borough shall have been incorporated and the court may equitably apportion the same where territory of borough or annexed territory is located in two or more counties. In case the territory included within the limits of a newly incorporated borough or territory annexed to a borough is located in two or more counties the court of quarter sessions of the county where the borough or the larger part of the territory of the borough is located shall have exclusive jurisdiction over the proceedings to adjust and apportion the indebtedness between the borough and township.

Section 708 [Payment of Costs The cost of the proceedings shall be paid by the several townships and borough in such proportions as the court shall direct] Bond issues taxation In any such proceeding the township or the borough shall have power to issue and deliver to the borough or township interest-bearing bonds in liquidation of the indebtedness ascertained to be its proportionate share payable if such bonds are acceptable to the borough or township entitled to receive the same. The court may also make all needful orders for the collection and payment by the township or borough by special taxes to be collected in one year or by annual installments the amount needed to pay the share of any indebtedness apportioned to it.

Section 10 Subsections (b) and (c) of Article VII and Sections 710 711 712 715 716 717 and 718 of said act of May 4 1927 (P. L. 519) are hereby repealed.

Section 11 Subdivision (d) of Article VII and Sections 720 to 805 inclusive of said act of May 4 1927 are hereby reenacted revised and amended to read as follows [(d)] (b) When Territory is Detached

Section 720 Appointment of Auditor Whenever [under the provisions of sections four hundred and thirty to four hundred and thirty-two inclusive of this act] the court shall decree the detachment of territory from a borough and the boroughs and townships affected thereby cannot amicably agree as to the adjustment of indebtedness if any between themselves the court of quarter sessions upon petition of either the borough or township shall appoint an auditor who shall give such notice of a hearing as the court shall direct to all parties in interest.

Section 721 Duties of Auditor The auditor shall hear all parties in interest make necessary investigation and report to the court the total valuation for taxation purposes of the borough and townships affected the assessed valuation of the portion detached the amount of indebtedness of the several boroughs and townships and the value of all property transferred from the borough to a township or borough. The auditor shall also report a form of decree making such adjustment of the indebtedness of the boroughs and townships affected as he shall deem equitable.

Section 722 Confirmation of Report Costs The report and decree shall be confirmed nisi by the court and shall become absolute [in ten days] unless exceptions be filed thereto [or an appeal be taken by parties in interest]. In case exceptions are filed within thirty days after the report is filed in court the court shall dispose of the same taking testimony therein if it deems the same advisable. The court shall enter its decree confirming the report of the auditor or modifying the same as to it appears just and proper. The decision of the court shall be final the costs and expenses of the proceedings shall be paid as the court shall direct.

Article VIII

Election of Officers

(a) General Provisions Relating to Elected Officers

Section 801 Electors Only to be Eligible [Electors] Registered electors of the borough only shall be eligible to elective borough offices.

Section 802 Time and Place of Elections Election for borough officers shall be at the time and place designated by law for the holding of municipal elections.

Section 803 Certificates of Election Certificates of election of all borough officers shall be filed with the borough secretary and be preserved among the records of the borough for a period of six years.

Section 804 Term Bonds Persons elected to borough offices other than the office of member of council shall serve until their successors are elected and qualified but such service shall not continue longer than the first Monday of January succeeding the next municipal election at which election a successor shall be elected for the unexpired term.

Whenever any elected official of a borough is required to give bond for the faithful performance of his duties the borough may pay the premium for such bond.

Section 805 [Elections Where Boroughs Created Whenever in boroughs hereafter formed by the division of a borough or in boroughs hereafter created by the detachment of territory a special election is ordered by the court for the election of borough officers the officers so elected shall hold their office until the first Monday of January next succeeding the municipal election at which such officers are elected as provided in sections eight hundred and ten to eight hundred and fifty inclusive of this article and whenever a borough is incorporated from a township the borough officers shall be elected at the municipal election next succeeding the final decree incorporating such borough and shall enter upon their respective terms of service on the first Monday of January following such election. In each of the aforesaid cases the officers elected at the first municipal election following the creation of such borough and thereafter shall be so elected that the time of their election and in the case of councilmen and auditors the number to be elected at any municipal election shall coincide with the time and number elected at such municipal elections by boroughs incorporated prior to the passage of this act.] Election of borough officers when boroughs created etc Whenever a borough is incorporated under the provisions of sections 201 to 211 inclusive of this act or whenever two or more boroughs are consolidated under the provisions of sections 215 to 222 of this act or whenever a borough is created from a city of the third class under the provisions of sections 225 to 229 of this act the officers of the borough provided for in section 807 of this act shall be elected at the appropriate municipal election as provided in said sections and such officers shall take office on the first Monday of January succeeding such election.

At any such election if the borough is not divided into wards of the seven councilmen to be elected three or four councilmen as the case may be shall be elected for terms of two years each and three or four councilmen as the case may be shall be elected for terms of four years each to coincide with the number of councilmen elected at such election in existing boroughs under the provisions of section 810 of this act.

In the case of the consolidation of two or more boroughs into one borough or the creation of a borough from a city of the third class and where in either event two councilmen are to be elected from each ward for a term of two years and one councilman shall be elected from each ward for a term of four years.

In all boroughs coming within the provisions of this section three auditors shall be elected one for a term of two years one for a term of four years and one for a term of six years.

All other officers of the borough shall be elected at such election for terms of two or four years as the case may be to coincide with the terms of officers elected under this act at such election in the existing boroughs.

Section 12 Section 806 of said act May 4 1927 (P. L. 519) is hereby repealed.

Section 13 Sections 807 810 and 811 of said act of May

4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 807 Officers to be Elected It shall be lawful for the electors of the borough to elect

(a) In boroughs not divided into wards seven councilmen a burgess [a high constable] an assessor except in those boroughs where the assessment of property for county purposes under existing laws is made by a county board of assessors or by appointed assessors a tax collector and three auditors or a controller

(b) In boroughs divided into wards at least one and not more than [three] two councilmen in each ward [to] except in boroughs where prior to the passage of this act three councilmen were elected in each ward In such boroughs the number of councilmen is fixed at three in each ward until such number is reduced in the manner provided by this act Councilmen shall be residents of the ward from which they are elected and chosen by the electors of the ward an assessor in each ward except in those boroughs where the assessment of property for county purposes under existing laws is made by a county board of assessors or by appointed assessors to be chosen by the electors of the ward also a burgess [a high constable] a tax collector and three auditors or a controller who shall be chosen by the electors of the boroughs at large

(b) Councilmen

Section 810 Election of Councilmen At the municipal election to be held in the year one thousand nine hundred and [twenty-seven] forty-seven there shall be elected in each borough a sufficient number of councilmen to equal one-half of the entire number of which such council is legally composed to serve for a term of four years from the first Monday of January next succeeding and where such entire number is seven nine or eleven then sufficient to constitute three four or five as the case may be the aforesaid councilmen to be elected in the year one thousand nine hundred and [twenty-seven] forty-seven being successors to those elected in the year one thousand nine hundred and [twenty-three] forty-three whose terms as heretofore provided by law expire on the first Monday of January one thousand nine hundred and [twenty-eight] forty-eight All councilmen whose terms expire on the first Monday of January one thousand nine hundred and [thirty] fifty shall continue to hold their office until the first Monday of January one thousand nine hundred and [thirty] fifty as now provided and their successors shall be elected at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine to serve for a term of four years from the first Monday of January next succeeding Biennially thereafter at the municipal election a sufficient number of councilmen shall be elected for a term of four years from the first Monday of January next succeeding to fill the places of those whose terms under the provisions of this act shall expire on the first Monday of January next following such election

Section 811 Election of councilmen where new wards created Whenever the court of quarter sessions shall divide any borough into wards erect new wards out of two or more wards or parts [of two or more wards into one ward] thereof or divide a ward already erected into two or more wards and when the report in such case is confirmed by the court it shall at the same time decree the election of an equal number of councilmen in each of the wards in such manner as not to interfere with the terms of those theretofore elected Where a borough is first divided into wards the court shall fix the number of councilmen in each ward at not more than two In decreeing such election when the entire number of council shall be composed of an even number the decree shall be so made that one-half of the entire number shall thereafter be elected at each municipal election When the entire number of council shall be an odd number the court shall divide such council into two classes and

shall make its decrees so that one-half of the entire number of councilmen less one shall as soon as possible take their office in a year divisible by four and the remaining number of councilmen shall take their office in an even-numbered year not divisible by four The apportionment shall be so made by the court that there shall be equal or as nearly equal as possible representation by wards in each class Biennially thereafter at each municipal election a sufficient number of councilmen shall be elected for the term of four years from the first Monday of January next succeeding to fill the places of those whose terms shall expire on the first Monday of January next following such election

Section 14 Sections 812 and 813 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 15 Sections 814 815 and 816 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 814 Fixing number of councilmen when wards created Whenever upon the division of any borough into wards or the creation of a new ward or wards the number of councilmen cannot be equally divided among the wards of the boroughs it shall be lawful for the court in decreeing such division or creation to increase the number of council to and not exceeding such number as will enable the court to make an equal apportionment of the same among the several wards of such borough But where a borough is first divided into wards the number of councilmen provided for a ward shall not exceed two

Section 815 Increase in Number of Councilmen The court of quarter sessions having fixed the number of councilmen as provided in section eight hundred eleven of this article may upon petition [citizens] at least five per centum of the registered electors of the borough increase the same to any number not exceeding [three] two for each ward The sufficiency of the number of signers to any such petition shall be ascertained as of the date when the petition is presented to court

Section 816 Decrease of Number of Ward Councilmen Whenever the electors of any borough divided into wards are authorized by this act or by a decree of court to elect two [or three] members of council from each ward or whenever a borough at the time of the enactment of this act shall elect three councilmen from each ward the court of quarter sessions may upon the petition of [twenty citizens] at least five per centum of the registered electors of such borough and after notice to the council decrease the number of members of the council to be elected in each of such wards from two to one or from three to one or two The sufficiency of the number of signers to any such petition shall be ascertained as of the date the petition is presented to court

At each municipal election thereafter in such boroughs where there are two members from each ward the electors of each ward shall elect one councilman to hold office for a term of four years from the first Monday of January next succeeding his election

At each municipal election thereafter in such boroughs where there is one member from each ward the electors from each of the odd-numbered wards shall at the first municipal election thereafter elect one councilman for a term of four years and the electors from each of the even-numbered wards shall elect one councilman for a term of two years At each municipal election thereafter the electors of the even-numbered wards or odd-numbered wards as the case may be shall each elect one councilman for a term of four years to take the place of those whose terms are about to expire All such councilmen shall take office on the first Monday of January following their election

In any borough where under the provisions of this section the number of councilmen shall be reduced the councilmen then in office shall remain in office until the end of their respective terms

Section 16 Section 817 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 17 Section 820 of said act of May 4 1927 (P. L. 519) is hereby reenacted revised and amended to read as follows

(c) Burgess

Section 820 Election of Burgess Electors of every borough shall at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine and every four years thereafter elect one person as burgess who shall hold office for a term of four years from the first Monday of January next succeeding his election

Section 18 Sections 821 and 825 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 19 Section 830 of said act of May 4 1947 (P. L. 519) is hereby reenacted to read as follows

(e) Auditors

Section 830 Election of Auditors The qualified electors in boroughs electing auditors and not accepting the provisions of this act providing for the office of controller shall elect at each municipal election one auditor for a term of six years to hold office from the first Monday of January next succeeding his election

Section 20 Subdivision (f) of Article VIII and Section 835 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 21 Subdivisions (g) (h) (i) of Article VIII and sections 840 845 and 850 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[(g)] (f) Controller

Section 840 Election of Controller The qualified electors in every borough having a controller and in every borough accepting the provisions of this act relating to the controller shall at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine and every four years thereafter elect as borough controller one person who shall be a competent accountant and [an] a registered elector of the borough for at least four years prior to his election The person so chosen shall serve for a term of four years from the first Monday of January next succeeding his election

[(h)] (g) Assessors

Section 845 Election of Assessors At the municipal election in the year one thousand nine hundred and [twenty-seven] forty-seven and at the municipal election every four years thereafter the qualified [voters] electors of every borough not divided into wards shall [vote for and] elect a properly qualified person for assessor in such borough Where a borough has been or shall hereafter be divided into wards the qualified [voters] electors of each of such wards shall at the time aforesaid elect a properly qualified person as assessor for said ward The provisions of this section shall not [repeal nor affect the provisions of any statute providing for the election of assistant assessors for the performance of duties relating to elections nor does this section] apply to those boroughs where the assessment of real property for county purposes under existing laws is made by a county board of assessors or by appointed assessors

[(i)] (h) Tax Collector

Section 850 Election of Tax Collector The qualified [voters] electors of every borough shall at the municipal election in the year one thousand nine hundred and [twenty-nine] forty-nine and every four years thereafter [vote for and] elect one properly qualified person as tax collector of the borough

Section 22 Sections 901 to 906 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article IX

Vacancies in Office

Section 901 Filling Vacancies in Elective Borough

Offices If any vacancy shall occur in the office of burgess member of council auditor controller [high constable] or tax collector by death resignation removal from the borough or from a ward in the case of a ward office or by failure [or neglect] to take the required oath or to give bond as provided by law or ordinance or in any other manner whatsoever the borough council shall fill such vacancy by appointing by resolution a [qualified] registered elector of the borough to hold such office for the unexpired term of the office

The person appointed shall give bond if required by law or ordinance

In cases where the person elected to the office shall fail to give bond if any required or to take the required oath the borough council before making the appointment shall declare the office vacant

[Where a vacancy in the office of tax collector exists or where a tax collector shall fail to file bond as required by law and in either case no resident of the borough can in the opinion of the council qualify as required by law the borough council shall appoint the county treasurer as tax collector for the unexpired term Where the county treasurer is so appointed he shall have authority to appoint a deputy to assist in the collection of the taxes set forth in the duplicates delivered to him The county treasurer shall be entitled to retain for his own use so much of the commissions payable for the collection of said taxes as may be required for the payment of his deputy and the premium on his bond and shall not be required to pay the same over to the county but any commissions over and above such costs shall belong to the county to reimburse the county for office rent light heat telephone service compensation insurance supplies postage and equipment The salary board of the county or where there is no salary board then the county commissioners shall fix the compensation of any deputy appointed If the county treasurer so appointed shall fail to file bond the borough council shall appoint any suitable resident of the county to perform the duties of tax collector for the unexpired term

If no person can be found within the borough to accept appointment as tax collector for the borough the council of the borough may proceed to collect its taxes through its treasurer or secretary as tax collector who shall not be required to give additional bond but shall otherwise have the powers and perform all the duties of the tax collector or the borough may notify the county commissioners that the borough is without a tax collector and that it desires the county commissioners to collect such taxes Thereupon the county commissioners shall proceed to collect the taxes for the county and the borough and also the school district unless the school district has appointed a tax collector or desires to collect its taxes directly through its own treasurer or secretary which it shall have the power to do without requiring additional bond from such treasurer in the same manner as above provided for the borough

The county commissioners shall in any such case have power to collect the taxes for the county and for any borough and school district and shall perform all the duties and have all the powers herein conferred on tax collectors and shall have power to appoint a deputy as herein provided where the county treasurer is appointed and to fix his compensation The county commissioners shall pay the amounts received over to the county treasurer who shall pay to the borough and school district taxes received for their use less such amount as is allowed as a commission for the collection of such taxes which shall be retained for the use of the county to reimburse the county for the costs incurred by the county commissioners in collecting such taxes The county commissioners shall not be required to give any bond for the duties herein imposed nor shall they receive any compensation for collecting such taxes The county commissioners shall where they collect taxes as herein provided

have all the powers and perform all the duties vested in collectors of county borough and school taxes]

Section 902 [When Court to Fill Vacancies If the council of any borough shall refuse fail or neglect or be unable for any reason whatsoever to fill any vacancy within thirty days after the vacancy happens as provided by the preceding section then the court of quarter sessions shall upon petition of the burgess or council or five citizens fill the vacancy in such office by the appointment of a qualified resident of the borough for the unexpired term of the office] Collection of taxes where vacancy in office of tax collector not filled Where a vacancy in the office of tax collector exists and no resident of the borough has within thirty days received the appointment to fill such vacancy the county commissioners the borough council and the board of school directors of the school district shall collect the tax for the county the borough and the school district respectively through their respective treasurers or in the case of school districts and boroughs at the option of the district or borough through their respective secretaries No such county borough or school district treasurer or secretary shall be required to give bond unless required to do so by the taxing district Treasurers and secretaries shall have all the powers and perform all the duties imposed on tax collectors Such treasurers and secretaries for performing such duties shall be entitled to the compensation provided by law for the collection of such taxes

Section 903 Assessor Vacancies in the office of assessor shall be filled as now provided by law

Section 904 Right of Council to Declare Seat of Councilmen Vacant for Failure to Qualify If any person elected or appointed as [members] a member of council who has been notified of his election or appointment shall refuse or neglect to qualify as such member of council within ten days next succeeding the beginning of his term of office unless prevented by sickness or prevented by necessary absence from the borough the borough council acting without such person may declare his office as member of council vacant and may fill such vacancy as provided in section nine hundred one of this act For such actions a majority of the remaining members of the council shall constitute a quorum

Section 905 Right of Council to Declare Seat of Councilman and Burgess Vacant for Failure to Attend Meetings Etc If any person having qualified as a member of council or burgess shall neglect or refuse to attend two successive regular meetings unless detained by sickness or prevented by necessary absence from the borough or if a councilman in attendance at any meetings shall neglect or refuse to vote or by his withdrawal from council or otherwise refuse to act in his official capacity as a member of council or if the burgess in attendance at any meetings shall neglect or refuse to cast the deciding vote as required by section 1003 of this act the borough council acting without such person may declare his office as a member of council or burgess vacant and may fill such vacancy as provided in section nine hundred one of this act For such actions a majority of the remaining members of the council shall constitute a quorum

Section 906 Temporary Auditor If for any reason two or three vacancies exist in the office of borough auditors the council may temporarily appoint and reasonably compensate a qualified person who need not be an elector of the borough who shall have all the powers and duties of the two or three auditors whose offices are vacated

Section 23 Section 1001 to 1017 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article X

Powers and Duties of Elected Borough Officers

(a) Council

Section 1001 Organization of Council Quorum No Compensation Eligibility The borough council shall organize

at eight o'clock post meridian on the first Monday [after the first day] of January of each even-numbered year by electing a president treasurer and secretary which shall constitute the organization of council The council may at the organization meeting elect such other officers as may be provided for by law or ordinance or as may be deemed necessary for the conduct of affairs of the borough The president shall preside over the meetings of council and when absent his place shall be filled by a president pro tempore A majority of the entire membership of council shall constitute a quorum [The councilmen shall not receive any compensation for their services as councilmen] The councilmen may receive compensation to be fixed by ordinance at any time and from time to time as follows in boroughs whose population is seven hundred fifty (750) or less a maximum of five dollars (\$5) a month in boroughs whose population is more than seven hundred fifty (750) and not more than fifteen hundred (1500) a maximum of ten dollars (\$10) a month in boroughs whose population is more than fifteen hundred (1500) and not more than twenty-five hundred (2500) a maximum of fifteen dollars (\$15) a month in boroughs whose population is more than twenty-five hundred (2500) and not more than five thousand (5000) a maximum of twenty dollars (\$20) a month in boroughs whose population is more than five thousand (5000) a maximum of twenty-five dollars (\$25) a month

The population shall be determined by the latest United States decennial census or by two and one-half (2½) times the number of registered voters in the borough No compensation shall be paid in any month to a councilman who has failed to attend at least one regular meeting of council during the month A school director shall not be eligible to the office of member of council

Section 1002 Oath of Councilmen Before entering upon the duties of their office the councilmen shall take and subscribe an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of their office with fidelity The oath or affirmation may be taken before any judge or justice of the peace of the county or before the burgess of the borough when he has qualified and shall be [entered upon or] filed with the borough secretary and be preserved among the records of the borough for a period of six years

Section 1003 When the Burgess may Preside Over Council and vote Attendance of Burgess at Council Meetings Breaking Tie Votes The burgess shall preside over the organization of the council until it is organized as provided in section [one thousand one] 1001 and he shall be deemed a member of council at the organization meeting if his membership becomes necessary to constitute a quorum but he shall not vote thereat unless his vote shall for any reason whatsoever be required to effect the organization of council or to elect any officer who is required to be or may be elected at the organization meeting In case of the unavoidable absence of the burgess at the organization meeting one of the members of council chosen by the members present at the meeting shall preside

The burgess shall attend all regular meetings of council unless detained by sickness or prevented by necessary absence from the borough In all cases where by reason of a tie or split vote the council of any borough shall be unable to enact or pass any ordinance resolution or motion or to declare or fill a vacancy in its membership or in any other borough office [and such disagreement shall continue until the next regular meeting of council] it shall be the duty of the burgess of such borough to [attend said meeting and] cast the deciding vote

Section 1004 Failure of Council to Organize If the council of any borough shall fail to organize within ten days from the time prescribed in this article the court of quarter sessions upon the petition of ten [taxable inhabitants] registered electors verified by the affidavit of [five] one of the petitioners shall issue a rule upon the

delinquent councilmen to show cause why their seats should not be declared vacant The rule shall be returnable not less than five days from the time of its issue and after hearing the court may declare the seats of such [delinquent] councilmen as are responsible for such failure to organize vacant and appoint others in their stead who shall hold their office for the [unexpired term] the respective unexpired terms

Section 1005 [Selection of High Constable Where Boroughs Consolidated Whenever two or more boroughs are consolidated under the provisions of this act the council of the new borough at the first meeting after such consolidation shall designate by ballot which of the high constables and auditors shall perform the duties of those offices in the new borough and the person so chosen shall hold their office until the first Monday of January next succeeding the municipal election at which such officers are regularly elected as provided in this act The council shall also designate by ballot which of the treasurers shall perform the duties of that office in the new borough and shall elect some person as secretary of the council] Powers of council The council of the borough shall have power

I To appoint a solicitor an engineer a street commissioner and such other officers as it deems necessary

II To mitigate or remit fines and forfeitures in reasonable cases

III By resolution to make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue certificates of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made

IV To appoint and revoke the appointment of one or more depositories for borough funds and to fix and approve security to be furnished by any such depository Such security may be bonds with corporate or individual sureties to be approved by council or collateral security consisting of obligations of the United States or the Commonwealth of Pennsylvania or any political subdivision thereof deposited with the borough or with any bank or trust company within the Commonwealth of a market value of one hundred and twenty per centum of the amount of the deposit to be secured Any deposit of collateral shall be under proper agreement and be accompanied by proper assignment or power of attorney for the transfer of the collateral The borough treasurer shall deposit all borough funds in any depository so designated and when so deposited the borough treasurer shall be released and discharged from further liability on account of such deposit Nothing herein contained shall be construed to require a depository to furnish bond or collateral security to cover the amount of any deposit to the extent that the same is insured with the Federal Deposit Insurance Corporation

V To secure such indemnity bonds or policies of insurance as it may deem necessary to protect the borough from loss by reason of fire flood windstorm burglary larceny negligence or dishonesty insolvency of a depository or otherwise and to pay for such protection the usual or customary costs

VI To make temporary investment of borough funds whether they be general special or sinking fund in bonds of the Federal Government the Commonwealth of Pennsylvania the bonds of the borough or in any other securities authorized by law for the investment of sinking funds of municipalities when in its judgment the interests of the borough will be enhanced thereby and to dispose of such securities when the funds may be needed by the borough Any such purchase or sale shall be made by the president and secretary of council on a resolution adopted by the council

VII To employ a certified public accountant by a two-thirds vote of the entire number of councilmen elected

VIII To make authorize and ratify expenditures for lawful purposes from funds available therefor or from funds borrowed within legal limits

Section 1006 Duties [and powers] of council [The

borough council a majority of whom shall be a quorum shall have power and unless discretion is vested it shall be its duty] It shall be the duty of the borough council

I To meet steadily at least once a month Council may adjourn to a particular time for general business or for special business If no quorum [be] is present at [such] a regular or adjourned meeting a majority of those who do meet may agree upon another date for like business and may continue to so agree until the meeting is held Special meetings may be called by the president of council or upon written request of at least one-third of the [persons who are] members [of council] thereof Members shall have at least twenty hours' notice of such special meetings The notice shall state whether it [be] is for general or special purposes and if it [be] is for special purposes the notice shall contain a general statement of the nature of the business to be transacted Presence at a meeting constitutes waiver of notice Council may adopt rules relating to the calling and holding of all meetings which rules shall supersede the provisions of this section

II To make and preserve full records of [their] its proceedings

III To enact revise repeal and amend such [laws] by-laws rules regulations [and] ordinances and resolutions not inconsistent with the laws of the Commonwealth as it shall deem beneficial to the borough and to provide for the enforcement of the same The legislative powers of boroughs including capital expenditures not payable out of current funds shall be exercised by or be based on an ordinance All other powers shall be exercised by vote of the majority of council present at a meeting unless otherwise provided Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor was previously given or if the action is subsequently ratified by council

IV Except where otherwise in this act provided to publish every ordinance or resolution of a legislative character in one newspaper [printed in the county every enactment regulation ordinance or other general law at last ten days before the same shall take effect] of general circulation in the borough

V To cause notices to be served as required by law or ordinance in a manner council may by motion or other action decide

VI To keep open for public inspection in a place provided by the borough any plans of highways that may be made

VII To appoint and remove a treasurer and secretary [Council in its discretion may appoint a solicitor a street commissioner and such other officers as it shall deem necessary] The treasurer and secretary shall not be members of council

VIII To fix the compensation of the treasurer and secretary [street commissioner high constable] and such other officers Appointees and employees as [they] it may appoint to be paid from the borough treasury by orders drawn thereon

IX To fix the amount of security to be given by the treasurer [collector of borough taxes the high constable] and of such other officers appointees and employees as it may designate

X To direct annually the publication of the accounts of the treasurer]

XI In its discretion to mitigate or remit fines and forfeitures in reasonable cases]

XII Whenever the borough funds have been exhausted the borough may by resolution make temporary loans on the credit of the borough in anticipation of taxes to be collected and to issue a certificate of indebtedness therefor All such loans shall be repaid from the first moneys available from taxes in anticipation of which the same were made]

XIII To appoint and revoke appointment of one or more depositories for borough funds and to fix and approve security to be furnished by any such depository]

[The borough may accept from a depository as security for its deposits bonds with corporate or individual

sureties to be approved by council or the depository may deposit as collateral security with the borough or with any bank or trust company within the Commonwealth which may be agreed upon United States municipal or county bonds of a market value of one hundred and twenty (120%) per centum of the amount of the deposit to be secured. Such deposit of collateral shall be under proper agreement and accompanied by proper assignment or power of attorney for the transfer of the bonds.

When funds of a borough are deposited in a designated depository the deposit shall be in the corporate name of the borough and withdrawn therefrom as provided in section 1105].

[XIV The borough treasurer shall deposit all such funds in the depository or depositories designated by the borough and when so deposited the borough treasurer shall be released and discharged from further liability].

[XV To secure such indemnity bonds or policies of insurance as they may deem necessary to protect the borough from loss by reason of fire windstorm burglary larceny dishonesty of employes insolvency of depository or otherwise and to pay for such protection the usual or customary costs].

[XVI To make temporary investment of borough funds whether they be general special or sinking fund in bonds of the Federal Government the Commonwealth of Pennsylvania or bonds of the borough when in its judgment the interests of the borough will be enhanced thereby and to dispose of any such securities when the funds may be needed by the borough. Such purchase or sale to be made by the president and secretary of council on a resolution adopted by the council].

[XVII In its discretion to employ certified public accountants by a two-thirds vote of the entire number of councilmen elected].

[XVIII To adopt an annual budget. During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council. The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided].

For ten (10) days a copy of the proposed budget shall be on file with the borough secretary and by him made available for public inspection. Notice that the proposed budget is available for inspection shall be published either in a newspaper of general circulation in the borough or in the case of boroughs whose estimated budget receipts are less than five thousand dollars (\$5000.00) conspicuously posted during the said ten (10) day period in a place readily viewable by the public at the secretary's office together with any further notice prescribed by council. Failure to give the notice herein required shall not invalidate the budget adopted or the tax ordinance but shall render the secretary guilty of a misdemeanor and on conviction thereof may be sentenced to a fine not exceeding one hundred dollars (\$100.00) as may seem meet and just to the court passing sentence.

After the expiration of the said ten (10) days council shall make such revision in the budget as shall be deemed advisable. In addition to expenditures proposed for the current fiscal year council may include as proposed expenditures a sum sufficient to pay any existing indebtedness and to pay the ordinary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor and may also include a sum to provide in whole or in part for any deferred maintenance depreciation and replacements. Within the tax levy and debt limitations council may also include in whole or in part expenditures for capital improvements and purchases. Expenditures of a legislative character shall be made authorized or ratified by ordinance. Other expenditures allowed by law may be made or ratified by motion in council. Such expenditures whether by ordinance or motion shall then be considered as appropriations affecting the budget. Any balance of revenues over expenditures may be expended in any subsequent year for any lawful purpose.

Upon completion of the budget containing the estimated

receipts and expenditures and its adoption by motion in council it shall then be the duty of council to adopt an ordinance levying the tax for the fiscal year for approval of the burgess or passage over his veto. The fixing or changing of the compensation or bonds of officials may be made by vote of council or embodied in the tax ordinance. An ordinance relating to the fiscal affairs of the borough may include the tax ordinance aforesaid instead of a separate ordinance and it may include therein any matters requiring the formalities of an ordinance or deemed informative by council.

The budget both preliminary and final shall be as comprehensive and exact as the information available will admit but council in its reasonable discretion may by motion modify the budget after its final adoption. New appropriations supplementary appropriations and transfers from one appropriation to another may be made during the fiscal year either before an expenditure is authorized or ratified after the expenditure is made provided it is within the current year's revenues or the money therefor promptly made available through borrowing as allowed by law].

Section 1007 Passage Approval and Veto of Ordinances Every ordinance and resolution except as herein otherwise provided passed by the council shall be presented to the burgess for his approval. If the burgess [approve] approves he shall sign it but if he shall not so approve he shall return it with his objections to the council at its next regular meeting when the objections shall be entered upon the minutes and the council shall proceed to a reconsideration thereof. If after such reconsideration two-thirds of all the members elected to said council or a majority of council plus one when the number composing such council is less than nine shall vote to pass such ordinance or resolution it shall become of as full force and effect as if it had received the approval of the burgess but in such case the vote shall be determined by yeas and nays and the names and votes of the members shall be entered on the minutes. If any such ordinance or resolution shall not be returned by the burgess at the regular meeting of the council next succeeding its presentation to him it shall likewise have as full force as if it had been approved.

Section 1008 Recording [and] advertising and proof of ordinances codification of ordinances (a) No ordinance or resolution of a legislative character in the nature of an ordinance shall be considered in force until the same is recorded in the ordinance book of the borough and [is] has been advertised as provided in this article [That all] All ordinances or resolutions of a legislative character in the nature of an ordinance may be proved by the certificate of the borough secretary [or clerk] under the corporate seal and when printed or published in book or pamphlet form and purporting to be published by the authority of the borough shall be read and received as evidence in all courts and places without further proof. All borough ordinances shall within one month after their passage be recorded by the borough secretary [or clerk] in a book provided for that purpose which shall be at all times open to the inspection of citizens [Ordinances heretofore passed within five years prior to the date of this act and not so recorded may now be recorded and effective under the provisions of this section]. The entry of the borough ordinance in the ordinance book by the secretary [or clerk] shall be sufficient without the signature thereto of the president of council burgess or other person.

[Section 1008.1 Adoption of Codification of ordinances] (b) Whenever any borough shall have caused to be prepared a consolidation codification or revision of the general body of borough ordinances or the ordinances on a particular subject the borough council may adopt such consolidation codification or revision as an ordinance of the borough in the same manner that is now prescribed by law for the adoption of borough ordinances except as hereinafter provided.

Any such consolidation codification or revision of borough ordinances to be enacted as a single ordinance shall be introduced in the borough council at least thirty

days before its final enactment and at least fifteen days before its final enactment notice of the introduction of any such consolidation codification or revision specifying its general nature and content shall be given by advertisement in a newspaper of general circulation in said borough [or if there be no newspaper of general circulation in said borough then by the posting of at least ten handbills in conspicuous places in the borough]

When any such consolidation codification or revision has been enacted as an ordinance [in the manner aforesaid] it shall not be necessary to [publish or] advertise the entire text thereof but it shall be sufficient in any such case to publish or advertise the table of contents thereof in the manner provided by law for the [publishing or] advertising of ordinances Such [publication or] advertisement shall in addition to setting forth the table of contents specify that the [consolidation codification or revision] ordinance is only a consolidation codification or revision of existing ordinances or ordinances on a particular subject and shall indicate a place within the borough where a copy thereof may be examined

Section 1009 Typewritten Records Valid All borough records required to be recorded or transcribed shall be deemed valid if typewritten and all records heretofore recorded or transcribed by typewriter are validated

Section 1010 Appeals from Ordinances Complaint as to the legality of any ordinance or resolution may be made to the court of quarter sessions upon entering into recognizance with sufficient security to prosecute the same with effect and for the payment of costs by any person aggrieved within thirty days after any ordinance or resolution takes effect and the determination and order of the court thereon shall be conclusive [The court shall have jurisdiction to review the propriety as well as the legality of ordinances] In cases of ordinances effecting annexation of territory or laying out streets over private lands the court shall have jurisdiction to review the propriety as well as the legality of the ordinance

Section 1011 Lost Ordinance Books to be Replaced Transcribing Ordinances Whenever any ordinance book is lost destroyed or becomes unserviceable the borough council may provide by ordinance for a new ordinance book into which shall be transcribed by the secretary all of the then valid ordinances The secretary in transcribing such ordinances shall make complete copies thereof including the date of enactment and approval and the names of the officers who signed the same and after notice given as hereinafter provided and corrections made shall certify each ordinance as a correct copy of the original

Section 1012 Ordinance Provided for Transcribing Notice The ordinance providing for the transcribing of such ordinances shall be recorded in such book immediately following the ordinances so transcribed and it shall provide that the secretary of the borough upon the completion of such transcribing shall publish once a week for four weeks in one newspaper published in the borough and if there be no such publication then in a newspaper [published in the county] circulating in the borough a notice stating that all of the then valid ordinances of the borough have been transcribed into a new ordinance book and that the old books and records of borough ordinances and the new ordinance book are open to public inspection for the purpose of verification and correction during the thirty days from the date of the notice

Section 1013 Certificate of Secretary The Secretary of the borough at the expiration of such notice shall make all corrections and shall then certify that all of the ordinances have been compared with the originals and that they are correct copies thereof After the ordinances are transcribed notice thereof given and the certificate of correction made [as provided in the preceding sections of this article] the ordinances so transcribed shall take the place of the original record and shall be the valid and legal ordinances of the borough

Section 1014 Hearings Before Council Witnesses Borough councils may compel the attendance of witnesses and the production of books papers or other evidence at

any meeting of the council or any committee thereof and for that purpose may issue subpoenas signed by the president of council or the chairman of the committee and cause the same to be served in any part of this Commonwealth If any witness shall refuse to testify to any fact within his knowledge or to produce any books or papers in his possession or control required to be used as evidence in any such case the secretary of the council shall report the facts relating to such refusal to the court of common pleas If the court determines the evidence required of such witness to be legal and competent it shall order such witness to testify or produce the evidence required

Section 1015 Witness Fees and Mileage No person residing without the borough and subpoenaed as aforesaid shall be required to respond to the same until mileage to and from the borough at the rate of ten cents a mile and [a per diem allowance of two dollars for the time their presence is desired has] witness fees as required by law relating to witnesses have been furnished

Section 1016 Examination of Witnesses Penalty Any person called as a witness as provided in this article may be examined under oath administered by the president of council or chairman of the committee and for the giving of false testimony shall be liable to indictment and punishment for perjury

Section 1017 State Association of Boroughs The boroughs of the Commonwealth are authorized to organize a State Association of Boroughs for the purpose of advancing the interests of the boroughs Any borough may join the said association by motion of council and payment of the annual dues Council may designate one or more delegates from the elected or appointed officials of the borough to attend the annual meeting of the association which shall be held in accordance with the procedure adopted by the association In addition to any compensation allowed by law the actual expenses of the delegates including transportation incurred by delegates for or incident to such meeting shall be paid by the borough The time spent in attending said meeting shall not be more than three days exclusive of the time employed in traveling thereto and therefrom [The annual membership dues of each borough becoming a member of the said association shall not exceed the sum of fifteen dollars for boroughs of one thousand population and less and in addition thereto the sum of two dollars per thousand of population or fractional part thereof not however exceeding a total additional fee of eighteen dollars] Each borough becoming a member of the association shall pay such reasonable dues as may be fixed by the association but such dues for boroughs having a population of less than one thousand shall not exceed fifteen dollars

The dues and other revenues received by the association shall be used to pay for services publications and other expenses authorized or ratified by the association or incurred in behalf of the association by its officers and committees

Section 24 Section 1018 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 25 Sections 1020 to 1028 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(b) Burgess

Section 1020 Eligibility of Burgess No burgess shall hold any other borough office or appointment during the term for which he is elected but he shall be eligible to succeed himself He shall attend all regular meetings of the council but shall not be a member of nor preside or vote at the meetings of the council except as provided in section ten hundred and three of this act

Section 1021 Incompatible Offices [Penalty] No member of Congress or any person holding any office or appointment of profit or trust under the Government of the United States shall be capable of holding the office of burgess

[Any person violating the provisions of this section shall be liable to a penalty of not less than fifty dollars

nor more than one hundred dollars and the office of burgess shall be considered vacant

Any penalty imposed under this section shall be paid one-half to the overseers guardians or directors of the poor of the borough or county where such offense is committed to be applied for the support of the poor and one-half to the prosecutor]

Section 1022 Oath of Burgess The burgess before exercising the duties of his office shall take and subscribe an oath or affirmation [and the same shall be filed as provided in section one thousand and two of this act] to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of his office with fidelity The oath or affirmation may be taken before any judge or justice of the peace of the county and shall be filed with the borough secretary and be preserved among the records of the borough for a period of six years

Section 1023 Salary of Burgess Fixed by Ordinance The salary of the burgess may be fixed by ordinance to be paid from the borough treasury in monthly or semi-monthly installments on warrants authorized by the council [When so fixed such salary shall not be changed during the term of the incumbent] The salary or compensation of a burgess shall not be increased or decreased oftener than once in two years

Section 1024 Salary of Burgess Limited The salary of the burgess shall not exceed per annum one hundred dollars per thousand for the first [five] ten thousand population or fraction thereof [and fifty dollars per annum for each additional one thousand of population or fractional majority thereof] the population to be determined by the United States decennial census or by [five] two and one-half times the number of registered electors in the borough as shown by the last registration thereof whichever may be the greater Provided however That in any borough whose population [calculated as aforesaid] shall exceed ten thousand the borough council may by ordinance fix the salary of the burgess at any sum not exceeding two thousand dollars and in boroughs whose population shall exceed twenty thousand the borough council may by ordinance fix the salary of the burgess at any sum not exceeding three thousand dollars

Section 1025 Salaried Burgess Not To Receive Fees Any salary paid pursuant to an ordinance shall be in lieu of all costs and fees allowed a burgess whether acting as burgess or justice of the peace and in such case the costs and fees shall be taxed and collected by the burgess and turned [monthly] into the borough treasury [together with a sworn statement of the same]

Section 1026 Burgess To Collect Costs And Fees In all cases where the burgess is given the jurisdiction of a justice of the peace he shall collect the same costs and fees as are charged by justices of the peace for like services and in all other cases he may collect such costs and fees as are allowed by law to a justice of the peace for services of a similar character [Provided however That he] He shall procure a docket in book or loose-leaf form wherein he shall enter all cases and charges which docket shall be open to public inspection at reasonable times

Section 1027 General Powers of Burgess The burgess shall have power

I To administer oaths and affirmations in matters pertaining to borough affairs

II To exercise jurisdiction in all disputes between the borough and individuals arising under the ordinances rules and regulations of the borough

III To exercise the powers and jurisdiction of justices of the peace in the enforcement of all ordinances of the borough and the collection of fines and penalties imposed thereunder and to sentence any person violating any such ordinance to detention in the lockup county jail or workhouse as hereinafter provided

IV To exercise the powers and jurisdiction of justices of the peace within the borough for the suppression of riots tumults and disorderly meetings and in all criminal

cases for the punishment of vagrants and disorderly persons

Section 1028 Duties of Burgess It shall be the duty of the burgess

I To preserve order in the borough to enforce the ordinances and regulations to hear complaints to remove nuisances and to exact a faithful performance of the duties of the officers appointed

II To demand and receive sufficient security in the amount fixed by the council of the borough from the treasurer [and high constable]

III To sign such papers contracts obligations and documents as may be lawfully required by council

IV To keep correct accounts of all fees fines and costs received by him to render to the councils at each regular meeting an itemized statement of all such moneys so received since the last regular meeting of the council with the dates at which and the names of the persons from whom the same was received and to pay all such moneys into the borough treasury prior to such regular meeting except such costs and fees as he may be authorized to retain in lieu of salary [deducting therefrom] The burgess shall be reimbursed by the borough for the costs of such dockets books and forms not to exceed twenty-five dollars in the aggregate for any one year as are directly useful in the conduct of [the] his office [to be reported to council and to be and] Such dockets books and forms shall be and remain the property of the borough and [to] shall be surrendered to his successor in office

V To cause to be opened all public roads or streets [lanes or alleys] lying within or partly within the borough

Section 26 Section 1029 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 27 Section 1030 of said act of May 4 1927 (P. L. 519) is hereby reenacted to read as follows

Section 1030 When President of Council to Act as Burgess Whenever the burgess is absent or incapacitated the duties of his office shall be discharged by the president of council While discharging the duties of the burgess the president of council shall be entitled to the same salary or fees as the burgess would receive and during the time such salary is paid to the president of council as acting burgess the burgess shall not be paid compensation

Section 28 Subdivision (c) of Article X and Sections 1031 1032 1033 and 1034 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 29 Subdivision (d) of Article X and sections 1035 to 1053 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[d] (c) Auditors

Section 1035 Auditors to Meet Yearly and [Prepare a Financial Statement Financial Report to be Furnished to Department of Internal Affairs] audit accounts uniform forms (a) The auditors of the borough shall meet on the third Tuesday of January of each year [and]

(b) The auditors shall audit adjust and settle the accounts of the tax collectors and all officers of the borough and of any person committee and commission receiving or expending [municipal] borough funds and shall prepare a [statement thereof] report thereof which shall contain an audit of the accounts of the last fiscal year and shall also show a complete statement of the financial condition of the borough giving in detail the actual indebtedness the amount of the funded debt the amount of the floating debt thereof the valuation of taxable property therein the assets of the borough with the character and value thereof and the date of maturity of the respective forms of funded debt thereof Such [statement] report shall be prepared within sixty (60) days after the close of the fiscal year [A summary of such statement showing in reasonable detail all receipts and expenditures of the several boroughs officials the income from each source of revenue and the expenditures as set up in the borough budget as well as the present financial conditions of the borough and a statement of the balance due from or to

such officials shall be published one time in one newspaper of general circulation and shall be in lieu of all other statements relating to indebtedness required to be published by existing law]

(c) The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has permitted or approved such expenditure but no elected or appointed official of a borough shall be surcharged for any act error or omission in excess of the actual financial loss sustained by the borough and any surcharge shall take into consideration as its basis the results of such act error or omission and the results had the procedure been strictly according to law [Provided That this amendment] The provisions hereof limiting the amount of any surcharge shall not apply to cases involving fraud or collusion on the part of officers nor to any penalty enuring to the benefit or payable to the Commonwealth [and Provided further That in]

(d) In any matter involving any financial transaction and official knowingly and wilfully acting contrary to law and knowingly or wilfully failing to act as required by law is guilty of a misdemeanor and on conviction thereof maybe sentenced to a fine not exceeding one hundred dollars (\$100.00) and his office may be forthwith declared vacant as may seem meet and just to the court passing sentence

(e) After such [statement] report has been prepared and executed by the auditors it shall be the duty of the secretary of the borough to retain a copy and to file a copy of the report with [secretary of the borough] [to furnish to] the clerk of the court of quarter sessions of the county and the Department of Internal Affairs [a report of such statement transcribed on a uniform form prepared and furnished as hereafter provided] Such reports shall be [signed by the auditors and the secretary and shall be filed with the department within ninety (90) days after the close of the fiscal year] filed by the secretary of the borough not later than the fifteenth day of April Any secretary of the borough refusing or wilfully neglecting to file such report shall upon conviction in a summary proceeding [brought at the instance of the Department of Internal Affairs] be sentenced to pay a fine of five dollars for each day's delay beyond [April first] the last day for filing such report and costs If the failure to file such report within the period specified is due to the failure of the auditors to prepare the statement upon which said report is to be based said fine shall be imposed upon all of the auditors [and not upon the secretary All fines recovered shall be for the use of the Commonwealth]

(f) The uniform forms for the [annual budget and for the] annual auditor's report [to the Department of Internal Affairs to be used as herein provided] and the annual financial statement hereinafter required to be made shall be prepared by a committee [consisting of four representatives from the Pennsylvania State Association of Boroughs and the secretary of the Department of Internal Affairs or his agent] as provided in Article XIII of this act

[Such representatives shall be appointed by the president of the organization within sixty (60) days after the effective date of this act Such representatives shall be chosen from among finance officers or other officers of boroughs who have knowledge of their fiscal procedures As far as possible they shall be chosen to represent boroughs in the various population groups The president of the organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Such representatives shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

In preparing the uniform forms for both budgets and annual reports the committee shall give careful consider-

ation to the fiscal needs and procedures of boroughs of the various population groups producing separate forms if necessary to the end that such forms shall not be inconsistent with the general administrative practices of boroughs of various types and sizes

It shall be the duty of the Secretary of Internal Affairs or his agents to see to it that the forms required by this act are prepared in cooperation with such committee In the event that the committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall prepare the forms After their preparation he shall issue such forms and distribute them annually as needed to the proper officers of each borough]

Section 1036 Orders and Vouchers To Be Marked "Audited" All orders [and] vouchers and certificates of indebtedness which have been paid shall on their presentation to the auditors be cancelled by writing the word "audited" on the face thereof

Section 1037 [Auditors To Post and File Statement In Court] Completion of Auditors' Report Publication of Financial Statement The auditors shall complete such audit adjustment and settlement as soon as possible [and] The auditors shall within ten days thereafter publish by [posting printed or typewritten handbills in five public places in the borough an itemized statement of the receipt and expenditures of the several officers for the preceding year certifying therein the date on which such audit was completed They shall also within such period of ten days file a copy of the statement with the secretary of the borough and also with the clerk of court of quarter sessions of the county certifying therein the date on which such audit was completed They shall also within such period of ten days file a copy of the statement with the secretary of the borough and also with the clerk of court of quarter sessions of the county certifying therein the date on which such audit was completed which shall be at all times subject to public inspection A copy of such statement shall also be filed with the Secretary of Internal Affairs Whenever two or more borough offices shall be exercised by the same person only one statement shall be required] advertisement in at least one newspaper of general circulation published in the borough or if no such newspaper is published in the borough then in such a newspaper circulating in the borough a concise financial statement setting forth the balance in the treasury at the beginning of the fiscal year all revenues received during the fiscal year by major classifications all expenditures made during the fiscal year by major functions and the current resources and liabilities of the borough at the end of the fiscal year the gross liability and net debt of the borough the amount of the assessed valuation of the borough the assets of the borough with the character and value thereof the date of the last maturity of the respective forms of funded debt and the assets in each sinking fund Such publication shall be deemed compliance with the provisions of the Municipal Borrowing Law which requires the corporate authorities of boroughs to publish an annual statement of indebtedness

Section 1038 Appeals From Audit It shall be lawful for the borough or any taxpayer thereof on its behalf or any officer whose account is settled or audited to appeal from the settlement or audit as shown in the auditor's report to the court of common pleas of the county but not later than forty days from the [completion] date of filing of the [audit as shown by the posted handbills or the statement filed] auditor's report with the clerk of the court of quarter sessions

Section 1039 Taxpayers Appealing To Enter Bond No appeal by a taxpayer or officer shall be allowed unless at the time of taking such appeal the appellant shall enter into bond in the sum of five hundred dollars with sufficient surety to prosecute the same with effect and to pay all costs accruing thereon in case if the appellant [be] is a taxpayer he shall fail to obtain a final decision more favorable to the borough than that awarded by the auditors or in case the appellant [be] is an accounting officer he shall fail to obtain a final decision more favorable to the officer than that awarded by the auditors Unless such bond

is filed as hereinbefore provided the court of common pleas upon application shall set aside the appeal

Section 1040 Taxpayers May Intervene In Appeals Whenever an appeal has been taken from the report of the auditors by the borough or by any person charged in such report with any sum of money any taxpayer of the borough may intervene in such appeal and either prosecute the same on its behalf or defend it against the appeal of the person so charged No taxpayer shall intervene unless he shall file in the court of common pleas a bond in the sum of five hundred dollars with one of more sufficient sureties conditioned to indemnify the borough against all costs accruing by reason of such intervention

Section 1041 Procedure On Appeals Any person interested may order the appeal upon the argument list and evidence may be taken before any person authorized to administer oaths upon rule for that purpose served upon the opposite party In any proceeding upon an appeal from a report of auditors [of any borough] the accounts of the officer or officers in question may be investigated de novo and the burden shall be upon each officer whose accounts are involved in the appeal of establishing [by evidence from original sources] his right to credits claimed by him but the opposing party in such appeal may use any facts figures or findings of the report of audit as prima facie evidence against any officer

When more than one appeal from a report of such auditors shall have been taken whether by the borough or an officer or officers thereof or by a taxpayer or any or all of them the court shall on its own motion or upon [petition] motion of any party interested direct the several appeals to be disposed of in a single proceeding.

Section 1042 Framed Issues Whenever any matter of fact is in dispute the court of common pleas is authorized to frame an issue for the trial thereof

Section 1043 Findings of Fact and Law Judgment After hearing the court shall file its findings of fact and law and enter judgment in accordance therewith and the judgment so entered may be enforced by any appropriate proceedings by the party prevailing

Section 1044 Exceptions and Appeals Any person interested may except to the ruling of the court and may appeal therefrom to the Superior or Supreme Court as in other cases

Section 1045 Balances Due To Be Entered As Judgments Any balance in any report of the auditors against any officer of the borough shall constitute a surcharge against such officer as fully as if expressly stated in said report to be a surcharge and the amount of any balance and of any express surcharge shall if no appeal is taken or after an appeal has been finally determined be entered by the prothonotary as a judgment against such officer and in favor of the borough The clerk of the court of quarter sessions shall certify the amount of every balance or surcharge contained in any such report from which no appeal has been taken within time herein provided to the court of common pleas for entry thereof by the prothonotary as a judgment Any taxpayer of the borough may enforce the collection thereof for the benefit of the borough by action or execution upon filing in the court of common pleas a bond in the sum of five hundred dollars with one or more sureties conditioned to indemnify the borough from all costs which may accrue in the proceedings undertaken by such taxpayer subject however to all rights of appeal from the report of auditors granted by this act If any person or persons have been or shall be surcharged for an illegal purchase and no fraud or collusion is shown and the surcharge is paid to the borough then the article purchased shall become the property of the person or persons surcharged

Section 1046 Attorney To Auditors The borough auditors may employ an attorney whenever the same is deemed advisable by a majority of the auditors

The compensation of such attorney shall be fixed by the auditors and shall not exceed the sum payable to one auditor for the making of the annual audit unless a larger

compensation shall be specially allowed by a court [of record] in connection with any proceeding before such court and shall be payable by the borough out of the general fund of the borough

Section 1047 Compensation of Auditors Each auditor shall receive five dollars per day for each day necessarily employed in the discharge of his duties to be paid by the borough A day shall consist of not less than five hours in the aggregate

Section 1048 Penalty For Failure To Comply With Law In case of any neglect or refusal to comply with the provisions of the preceding sections of this article the auditors so neglecting or refusing shall [pay a penalty of one hundred dollars to be recovered in the same manner as debts of like amount are recoverable by suit instituted in the name of the borough upon the complaint of any taxpayer thereof When so recovered the amount of the penalty shall be paid into the treasury of the borough] upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than one hundred dollars and in default of the payment of the fine and costs shall be imprisoned for not more than ten days

Section 1049 Auditors May Compel Attendance Of Witnesses The auditors of each borough or a majority of them shall have power to issue subpoenas to obtain the attendance of the officers whose accounts they are required to adjust their executors and administrators and of any persons whom it may be necessary to examine at witnesses and to compel their attendance [by attachment in like manner and to the same extent as any court of common pleas of this State may or can do in cases depending before them and also to compel in like manner the production of all books vouchers and papers relative to such accounts Such subpoena may be served by any person and such attachment shall be served and executed by the sheriff or coroner of the respective county or any constable of such county] If any person shall refuse or neglect to appear or testify the auditors shall petition the court of common pleas of the county to issue a subpoena to such person and to require him to appear and to testify before the court The court shall issue such subpoena if it deems the testimony relevant to the issue

Section 1050 Auditors May Administer Oaths Penalty The auditors of each borough or a majority of them shall have power to administer oaths and affirmations to all persons brought or appearing before them whether accountants witnesses or otherwise and all persons guilty of swearing or affirming falsely on such examination shall be liable to the pains and penalties of perjury

Section 1051 Persons Refusing To Testify To Be Committed If any person appearing before such auditors for examination shall refuse to take such oath or affirmation or after having been sworn or affirmed shall refuse to make answer to such questions as shall put to him by the auditors touching the accounts of the official conduct of such public officers or any of them [such person so refusing may be committed by a majority of the auditors to the county jail by warrant under their hands and seals directed to the sheriff or any constable of the county setting forth particularly the cause of such commitment until he shall submit to be sworn or affirmed or to make answers to such questions or be otherwise legally discharged] then the auditors may petition the court to issue its subpoena as hereinbefore provided

Section 1052 Pay of Witnesses Witnesses other than officers of the borough attending before the auditors and persons or officers serving subpoenas [attachments or warrants] shall be paid out of the borough treasury upon orders signed by a majority of the auditors and drawn on the borough treasury the same fees as are payable for rendering similar services in civil proceedings before a justice of the peace and the amount thereof shall be made a part of the charge against any officer who shall be charged by the auditors with any balance Provided That any such costs shall have been incurred in establishing said balance [and upon] Upon collection [thereof] of any such

costs from any officer they shall be repaid into the borough treasury

Section 1053 Auditors To Settle Accounts Where Witnesses Do Not Appear If any person in possession of books vouchers or papers relative to public accounts before auditors shall refuse to produce the same or if any officer whose accounts are to be settled and adjusted by such auditors shall refuse to attend or submit to examination as is hereinbefore directed the auditors or a majority of them [shall] may proceed by the examination of witnesses and other evidence to ascertain and settle as near as may be the amount of public money received by such officer and its application to public purposes or otherwise

Section 30 Subdivision (e) Of Article X and Sections 1055 to 1064 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[(e)] (d) Controller

Section 1055 Oath and Bond of Controller The borough controller shall before entering upon the duties of his office take and subscribe [the oath prescribed by section one article seven of the Constitution of this Commonwealth] an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform the duties of his office with fidelity [and] He shall give bond to the borough with two or more sureties or with a surety company to be approved by the council in such sum as [they] it may by ordinance direct conditioned for the faithful discharge of his duties The amount of said bond shall be sufficient to adequately protect the borough from any illegal or unfaithful action by the controller The cost of such bond shall be paid by the borough

[The borough controller may at the instance of a taxpayer and by rule upon him for that purpose be compelled to justify his bond as to the amount thereof and the responsibility of the sureties before the court of common pleas]

Section 1056 Salary Of Controller [In boroughs having a population of twenty thousand inhabitants or more the salary of the controller shall be one thousand five hundred dollars In boroughs having a population of fifteen thousand or more but less than twenty thousand inhabitants the salary of the controller shall be twelve hundred dollars In boroughs having a population of ten thousand or more but less than fifteen thousand inhabitants the salary of the controller shall be one thousand dollars In boroughs having a population of less than ten thousand and not less than five thousand the salary of the controller shall not exceed seven hundred and fifty dollars In boroughs having a population of less than five thousand and not less than two thousand five hundred the salary of the controller shall not exceed five hundred dollars In boroughs having a population of less than two thousand five hundred the salary of the controller shall not exceed three hundred dollars] The borough council shall fix the annual salary of the controller which shall be not less than one hundred dollars or more than one hundred and fifty dollars for each one thousand inhabitants in the borough to be determined by the last preceding decennial census of the United States or by two and one-half times the number of registered electors in the borough as shown by the last registration thereof whichever may be the greater The salary of the controller may be changed from time to time but not oftener than once in two years but the salary of the controller shall not exceed six thousand dollars at any time

Section 1057 General Powers and Duties of Controller The borough controller shall superintend the fiscal concerns of the borough He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provisions for the settlement thereof is made by law and where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the borough council the facts relating thereto with his opinion thereon

In the examination audit and settlement of accounts the controller shall have all of the powers and perform all of the duties vested in and imposed on the auditors by this act He shall make and file an annual report of his audit and make and publish the annual financial report in the same form and manner and at the same time as in this act required of the auditors or the secretary of the borough

[The controller in addition to the above audits shall annually audit settle and adjust the accounts for the immediately preceding fiscal year in which the borough is concerned and for any preceding fiscal year of any officer which have not previously been audited settled and adjusted He shall finish said audit settlement and adjustment and file in the office of the prothonotary of the county in which such borough may be situated a report thereof within sixty days after the beginning of the current fiscal year setting forth an itemized statement of the charges against and credits of said officers and any balance or surcharge against them The amount of any balance or shortage or of any expenditure of a kind or made in a manner prohibited or not authorized by statute or which causes a financial loss to the borough shall be a surcharge against any officer against whom such balance or shortage shall appear or who by vote act or neglect has made approved or permitted such expenditure Any balance or surcharge against any such officer shall be entered by the prothonotary as a judgment against him unless he shall appeal from such report as hereinafter provided]

The borough [comptroller] controller shall have supervision and control of the accounts of all departments bureaus and officers of the borough authorized to collect receive or disburse the public moneys or who are charged with the management or custody thereof He shall audit their respective accounts and may at any time require from any of them a statement in writing of any moneys or property of the borough in their hands or under their control showing the amount of cash on hand and the amount deposited in banks and banking institutions [and trust companies] together with the names of such institutions He shall have power to examine every such account of a borough officer in any bank or banking institution [or trust company] to verify the accuracy of the statement of such borough department bureau or officer and it shall be the duty of every such bank and banking institution [or trust company] its officers and agents to furnish full information to the controller in relation to such account No bank or banking institution [or trust company] its officers or agents shall be subject to prosecution under other laws of this Commonwealth for disclosing any such information with respect to any such account He shall immediately upon the discovery of any default irregularity or delinquency report the same to the borough council He shall also audit and report upon the account of any such officer upon the death resignation removal or expiration of the term of the said officer

Section 1058 Controller May Require Attendance of Witnesses Penalty In the making of any audit or settlement and in the authentication of any account or claim or demand against the borough the controller [of any borough] shall have the same power and authority to obtain the attendance before him of parties and witnesses and the production of books and papers and to administer oaths and affirmations as are given by law [county and township] the borough auditors All persons guilty of swearing or affirming falsely before him shall be liable to the penalty for perjury

Section 1059 Controller To Countersign Warrants The borough controller shall countersign all warrants upon the borough treasurer the form thereof to be prescribed by council but no warrant shall be countersigned unless there is money in the treasury to pay the same Whenever a warrant on the treasurer shall be presented to the controller to be countersigned the person presenting the same shall if the controller require produce evidence

1 That the amount expressed in the warrant is due to the person in whose favor it is drawn

2 That the supplies or service for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 1060 Controller To Prevent Appropriation Over-drafts The borough controller shall not permit any appropriations made by the council to be overdrawn. Whenever an appropriation is exhausted the object of which is not complete he shall immediately report the fact to the council and accompany such report with a statement of the moneys which have been drawn on such appropriation and the particular purpose for which they are drawn.

Section 1061 Amount of Contracts To Be Charged Against Appropriations Every contract involving appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the borough controller on the contract before it shall take effect as a contract and the payment required by such contract shall be made from the fund appropriated therefor. If the controller shall certify any contract in excess of the appropriation made therefor the borough shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved. It shall be the duty of the controller to certify contracts for the payment of which sufficient appropriations have been made.

Section 1062 Controller's Reports On Borough Finances [Reports of Financial Condition To Be Made To Department of Internal Affairs] The borough controller shall as often as he may deem expedient or the council shall direct suggest plans to the council for the management and improvement of the borough finances and he shall make a report verified by oath or affirmation to the council at the first stated meeting in January in each year of the public accounts of the borough and of the trusts in its care exhibiting all the expenditures thereof respectively the sources from which the revenue and funds are derived and the manner in which the same have been disbursed. Each account shall be accompanied by a detailed statement of the several appropriations made by councils the amount drawn on each appropriation and the balance standing to the debit or credit of such appropriation. The report shall be published at the expense of the borough once a week for two weeks in a newspaper circulating generally in the borough.

The controller shall also annually within ninety (90) days after the close of the fiscal year make a report to the Department of Internal Affairs of the financial condition of the borough in manner and form required to be made by borough secretaries as hereinbefore provided and subject to the same penalties for refusing or neglecting to file such report.

Section 1063 Books To Be Kept By Controllers The borough controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the borough all trusts in the care of the same all debts due and owing the borough all receipts and expenditures of the various departments of the borough government and all appropriations made by council and the sums under the same respectively.

Section 1064 Appeals From Controllers' Report [Bond] [It shall be lawful for the borough or any taxpayer thereof on its behalf or any officer against whom any sum shall be charged in the report of audit as filed in the office of the prothonotary to appeal therefrom to the court of common pleas within thirty days after the same shall be filed in the prothonotary's office. The appeal shall be filed to the same number and term in which the report has been filed. If the appellant is a taxpayer or any officer charged as aforesaid he shall file a bond with one or more sufficient sureties conditioned to pay all costs thereafter accruing in case a decision more favorable to the party on whose behalf

the appeal shall be taken than that contained in the report of audit shall not be obtained.]

Appeals may be taken from the settlement and audit of the controller as shown in the controller's report to the court of common pleas of the county by the same persons in the same manner within the same time subject to the same conditions and procedure and with like effect in every respect as in this act provided in the cases of appeals from the settlement and audit of the auditors as shown in their report.

Section 31 Sections 1065 1066 1067 1068 and 1069 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed.

Section 32 Sections 1070 Subdivision (f) Section 1075 and Subdivision (g) and Section 1080 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows.

Section 1070 Acceptance of Article By Ordinance The foregoing provisions of subdivision [(e)] (d) of this article shall not become operative or effective in any borough not having a controller until the council shall by ordinance accept the provisions of subdivision [(e)] (d) of this article. When any borough accepts the provisions of subdivision [(e)] (d) of this article the court of quarter sessions upon petition of council shall appoint a controller to hold office until the first Monday of January next succeeding the next municipal election at which a controller may be elected under the provisions of this act.

In all boroughs accepting the provisions of subdivision [(e)] (d) of this article the borough auditors then in office shall continue to hold their office until the first day of January succeeding the election of a borough controller after which date the office of borough auditor is abolished.

A borough may discontinue the office of controller and reestablish the office of auditors by repealing the ordinance under which the office of controller was created. In any such case the controller in office at the time of such repeal shall continue in such office until the end of [such] his term.

[(f)] (e) Assessors

Section 1075 Powers Of Assessors The assessors shall have all the powers perform all the duties be subject to all the obligations and receive the same compensation as is now provided by law relative to the assessment of property and persons for county borough school and [poor] institution district purposes.

[(g)] (f) Tax Collector

Section 1080 Powers And Duties of Tax Collector The tax collector shall be the collector of all State county borough school [poor] institution district and other taxes levied within the borough by the authorities empowered to levy taxes. He shall in addition to the powers authority duties and responsibilities provided for by this act have all the powers perform all the duties and be subject to all the obligations and responsibilities for the collection of such taxes as are now vested in conferred upon or imposed upon tax collectors [for county purposes] by law.

Section 33 Section 1081 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed.

Section 34 Sections 1101 to 1115 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows.

Article XI

Powers [and] Duties and Rights of Appointed Officers and Employees

(a) General Provisions

Section 1101 Compensation Appointed officers and employees of the borough shall receive such compensation for their services as the council shall prescribe.

Section 1102 Accounts All officers and employees appointed by the borough council shall whenever directed render their accounts to the council for settlement.

Section 1103 Bonds Whenever an appointed officer or employee [or official] of any borough [whether chosen by vote or the electors or by council] is required to give bond

[endorsed by a surety company] for the faithful performance of his duties the borough may pay the premium thereon

Section 1104 Appointments Incompatible Offices Unless there [be] is incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board commission bureau or other agency created by or for the borough of any borough office created or authorized by statute and may accept appointments thereunder [provided] but no burgess or councilman shall receive compensation therefor Where there is no incompatibility in fact and subject to the foregoing provisions as to compensation appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities [or by the corporate officers] may hold two or more appointive borough offices But no burgess or member of council may serve as borough manager or as secretary or treasurer and the offices of secretary and treasurer shall not be held by the same person [Provided That nothing] Nothing herein contained shall affect the eligibility of any borough official to hold any other public office or receive compensation therefor In all cases in which it is provided that an appointment is to be made by the burgess and council such appointment shall hereafter be made by the burgess with the approval of a majority of the members of council attending a meeting at which the appointment is made unless a different vote is required by statute [and all] All appointments to be made by the council or the corporate [officers or corporate] authorities shall be made by a majority of the members of council attending a meeting at which the appointment is made unless a different vote is required by statute

Section 1104.1 Compensation To Aged Employees By ordinance a borough may provide for compensation to appointees and employees of not less than ten [(10)] years of satisfactory service and who are not less than sixty [(60)] years of age a proportion of the compensation last paid to them but not in excess of fifty per centum (50%) thereof as fixed in said ordinance or amendment thereto [Provided That the] The expenditures herein authorized shall be paid out of the general tax levy for the current expenditures of the year and not by any special tax therefor [Provided further That nothing] Nothing herein shall preclude any appointee or employee of the borough from joining in any pension system or municipal retirement system that the borough may adopt The true intent and purpose hereof is to permit boroughs without exceeding the present general tax limitation to pay to servants in their employ who are too old to advantageously join any pensioning or retirement system a reasonable annuity in lieu of joining a pensioning or retirement system and who are not and cannot now be socially protected by any Federal security system now applicable to persons not employed by municipalities

(b) Treasurer

Section 1105 Bond and Duties The borough treasurer shall before entering upon the duties of his office give bond with surety as required by the borough council [and] conditioned for the faithful performance of his duties [he shall perform the duties of the township treasurer within the borough except as may be otherwise provided in this act] He shall keep a just account of all receipts and disbursements and shall annually submit his account to the borough auditors or controller he shall pay over all moneys remaining in his hands and deliver all books papers accounts and other things belonging to the borough to his successor All moneys received by any officer or other person for the use of the borough shall be forthwith paid to the borough treasurer He shall deposit all moneys received by him in a bank or banking institution [or trust company] in the name of the borough All expenditures shall be paid out of funds in the treasury only when authorized by the treasurer upon an order signed by the president of council and the borough secretary and also by the borough controller if any Such order shall not be executed unless there is money in the treasury available therefor

Section 1106 Compensation The borough treasurer shall receive such compensation as the council shall prescribe not exceeding however two per centum of the amount of funds paid out by him upon borough orders or warrants [Provided That] but no compensation or commission shall be allowed to any borough treasurer on account of any balance in his hands paid over to his successor or on account of the repayment of any loan or redemption of bonds or on account of any transfer from or to the sinking or other fund [or to or from any other fund] whether upon order or warrant or otherwise

(c) Secretary

Section 1110 Duties The secretary shall attend all meetings of the borough council and shall keep full minutes of [their] its proceedings he shall transcribe the by-laws rules regulations and ordinances adopted into a book kept for the purpose he shall preserve the records and documents of the borough and shall have custody of the corporate seal He shall certify copies of any book paper record by-law rule regulation [ordinances] resolution ordinance or proceeding of the borough under the seal thereof which copies when so certified shall be [admitted] admissible in evidence in any court of the Commonwealth He shall attest the execution of all instruments record the publication of all [enactments] ordinances and attest the same by his signature He shall file of record [the] proof of service of all notices required by law and [the] his certificate thereof shall be good evidence of such notice He shall purchase [to be paid by] at the expense of the borough such dockets books forms and files not to exceed twenty-five dollars in any one year as he may deem suitable to his office to be and remain the property of the borough He shall deliver to his successor the seal and all books papers and other records and things belonging to the borough

Section 1111 Records Open To Inspection The fiscal records and documents and the minute book and other records and documents of every borough shall be open to the inspection of any taxpayer thereof his her or its agent upon demand therefor

(d) Street Commissioner

Section 1115 Appointment On the first Monday of January or within thirty days thereafter of each [even-number] even-numbered year the borough council may appoint one person as street commissioner who shall serve for a term of two years or until his successor shall qualify

Section 35 Section 1116 of said act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 36 Sections 1120 to 1129 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(e) Solicitor

Section 1120 Election Vacancies The Borough council on the first Monday of January in any even-numbered year or as soon thereafter as practicable may elect [by a vote of a majority of the members] one person learned in the law who shall be styled the borough solicitor and who shall serve for the term of four years from the first Monday of January of the even-numbered year in or succeeding which he was elected and until his successor qualifies Vacancies in the office of borough solicitor shall be filled by the council for the unexpired term

Section 1121 Bond The borough solicitor shall if council so requires give a bond to the borough with two or more sureties or one [trust or] bonding company to be approved by the council in such sum as it shall [by ordinance] direct conditioned for the faithful performance of his duty

Section 1122 Solicitor To Have Control of Law Matters The law matters of the borough shall be under the superintendence discretion and control of the borough solicitor and no department or officer of the borough except as herein otherwise provided shall employ an additional counsel without the assent or ratification of the council

Section 1123 Duties of Solicitor The borough solicitor

when directed or requested so to do by council or the burgess shall prepare or approve such bonds obligations contracts leases conveyances ordinances and assurances to which the borough or any department thereof may be a party [as may be directed by ordinance or resolution he shall commence and prosecute all actions brought by the borough for or on account of any of the estates rights trusts privileges claims or demands as well as defend all actions or suits against the borough or any officer thereof wherein or whereby any of the estates rights privileges trusts ordinances or accounts of the borough or any department thereof may be brought in question before any court of the Commonwealth and shall do every professional act incident to the office which he may be authorized or required to do by the council or the burgess [or by ordinance or resolution] He shall whenever required furnish the council the committees thereof the burgess or the heads of departments with his opinion in writing upon any question of law which may be submitted by any of them in their official capacities

(f) Police

Section 1125 Appointment Suspension Reduction Discharge Powers Burgess To Have Control Borough councils may subject to the civil service provisions of this act if they be in effect at the time appoint and remove or suspend or reduce in rank one or more suitable persons citizens of this Commonwealth as borough policemen who shall [have the power to arrest persons] be ex-officio constables of the borough and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or for violating any ordinance of the borough for the violation of which [may subject persons to arrest] a fine or penalty is imposed and not withstanding any statute pertaining to the same or similar offenses Any person so arrested shall be received for confinement by the keepers of the jails lockups or station houses within the county

The borough council may designate one of said policemen as chief of police

The burgess of the borough shall have full charge and control of the chief of police and the police force and he shall direct the time during which the place where and the manner in which the chief of police and the police force shall perform [its] their duties

Policemen shall have authority to serve and execute all criminal process for the violation of borough ordinances which may be issued by the burgess and shall charge the same fees and costs as constables of the borough but such fees and costs shall be collected by the burgess and by him paid into the borough treasury

The borough may by ordinance establish a police department consisting of chief captain lieutenant sergeants [and] or any other classification desired by the council and council may subject to the civil service provisions of this act if they be in effect at the time designate the individuals assigned to each office but the burgess shall continue to direct the manner in which the persons assigned to the office shall perform their duties The burgess may however delegate to the chief of police or other officers supervision over and instruction to subordinate officers in the manner of performing their duties [By motion council may fix an hourly or daily wage to be paid to special policemen whose appointment is hereby authorized to be selected by the] The burgess may appoint special policemen during an emergency in which the safety and welfare of the borough and the public is endangered

The borough council may assign the chief of police or any member of the police force to undergo a course of training at any training school for policemen established and made available by the state or federal government and may provide for the payment by the borough of his expenses while in attendance in such school

Section 1126 Police Badge The borough policemen shall when on duty wear a shield or badge with the [words "borough police" and the name of the borough for which they are appointed inscribed thereon] word "police"

Section 1127 Suspension by Burgess The burgess may for cause and without pay suspend any policeman until the succeeding regular meeting of the council at which time or thereafter the council may subject to the civil service provisions of this act if they be in effect at the time suspend discharge reduce in rank or reinstate such policeman

Section 1128 Compensation The borough police and special policemen appointed by the burgess shall receive compensation to be fixed in the same manner as the compensation of other appointed borough officers is fixed

Section 1129 Office of Police and Constable Not Incompatible Borough policemen residing in the borough may at the same time hold and exercise the office of constable in the borough or any ward thereof and may demand and receive all costs fees and elomuments pertaining to such office.

Section 37 Section 1130 of said act of May 21 1937 (P. L. 761) be and the same is hereby repealed

Section 38 Section 1131 to 1162 inclusive of said act are hereby reenacted revised and amended and section 1137 is added to read as follows

Section 1131 Police Pension Fund [Boroughs may] Where a police force is being maintained the borough may by ordinance establish a police pension fund [to be maintained by] into which each member of the police force shall pay an equal and proportionate monthly charge [against each member of the police force] not exceeding annually three per centum of the pay of such member The fund shall be under the direction of the borough council or such committee as it may designate and shall be applied under such regulations as the council may by ordinance prescribe for the benefit of such members of the police force as shall receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in the service Any allowances made to those who are retired by reason of disability or age shall be in conformity with a uniform scale

Section 1132 Service Required Before Retirement The ordinance establishing the police pension fund may prescribe a minimum period of continuous service not less than twenty years after which members of the force may be retired from active duty Borough policemen so retired shall be subject to service as police reserves until unfitted for such service by reason of age or disability when they may be finally discharged

Section 1133 Pension Allowance The basis of the apportionment of the pension shall be determined by the rate of monthly pay of the member at the date of death honorable discharge or retirement and shall not in any case exceed in any year one-half the annual pay of such member computed at such monthly rate

Section 1134 Pension Not to be Charged on Other Funds Payments made on account of police pensions shall be a charge on no fund in the treasury of the borough or under its control other than the police pension fund

Section 1135 Gifts to Pension Fund Boroughs may take by gift grant devise or bequest any money or property real personal or mixed in trust for the benefit of such police pension fund The care management investment and disposal of such trust funds or property shall be vested in such officers as the borough shall by ordinance direct and shall be governed by such officers subject to any directions not inconsistent therewith as the donors of such funds and property may prescribe

Section 1136 Rights of Members No Person participating in such police pension fund and becoming entitled to receive a benefit therefrom shall be deprived of his right to an equal and proportionate share therein upon the basis upon which he first became entitled thereto except for the following causes that is to say conviction of a crime or misdemeanor becoming an habitual drunkard

becoming a non-resident of the Commonwealth or failing to comply with some general regulation relating to the management of such fund which may be made by ordinance and which provides that a failure to comply therewith shall terminate the right to participate in the pension fund after such notice and hearing as it shall prescribe

Section 1137 Annuity Contracts in Lieu of Establishing a Police Pension Fund Boroughs may provide annuity contracts for the purpose of paying pensions or annuities to the members of the police force who receive honorable discharge therefrom by reason of age or disability and the families of such as may be injured or killed in service

(g) Borough Manager

Section 1140 Borough Manager May Be Created by Ordinance Election The council of any borough may at its discretion at any time create by ordinance the office of borough manager and may in like manner abolish the same While said office exists the council shall from time to time and whenever there is a vacancy elect by a vote of a majority of all the members one person to fill said office who shall serve until the first Monday of January of the even-numbered year succeeding his election and until his successor qualified subject however to removal by the council at any time by a vote of the majority of all the members

Section 1141 Powers and Duties Bond The powers duties and compensation of the borough manager shall be regulated by ordinance The council and the burgess when authorized by ordinance [the burgess] may delegate subject to recall any of their respective non-legislative and non-judicial powers and duties to the borough manager He shall give a bond to the borough with one or more sureties or one [trust or] bonding company to be approved by the council in such sum as it shall by ordinance direct conditioned for the faithful performance of his duties

Section 1142 Other Offices Not Incompatible The offices of borough manager street commissioner secretary treasurer and chief of police shall not be deemed incompatible and any two or more or all of the said offices may be held by one person except the offices of secretary and treasurer shall not be held by the same person Neither the burgess nor any member of the borough council shall be eligible to hold the office of borough manager

(h) Borough Planning Commission

Section 1145 Creation of Borough Planning Department Appointment of Commissioners Power No Compensation The council of any borough may at any time create by ordinance a department to be known as the Department of Borough Planning which shall be in charge of a Borough Planning Commission consisting of five persons to be appointed by [the burgess and councils] council In the first instance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a [casual] vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the borough and the laws of the Commonwealth They shall serve without compensation and make annually to the [burgess and councils] council a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission where approved by council shall be provided for through proper appropriation by [councils] council They may contact for professional planning services the costs and expenses of which when approved by council shall be provided for through proper appropriation by council

Section 1146 Commission to Receive Copies of Ordinances Action Thereon The secretary of council shall upon intro-

duction furnish to the Borough Planning Commission for its consideration a copy of all proposed ordinances [and bills] and all amendments thereto relating to the location of any public building of the borough and to the location extension widening narrowing enlargement ornamentation and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the borough plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to [councils] council in writing within ten days from the introduction of said ordinances but such disapproval shall not operate as a veto

Section 1147 Maps Recommendations The Borough Planning Commission may make or cause to be made and lay before [councils] council and at its discretion [and] cause to be published maps of the borough or any portion thereof including territory extending three miles beyond the borough limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public building civic centre street parkway park playground or any other public ground or public improvement or any widening extension or relocation of the same or any change in the borough plan by it deemed advisable and it may make recommendations to [councils] council from time to time concerning any such matters and things aforesaid for action by [councils] council [thereof] thereon and in so doing have regard for the present conditions and future needs and growth of the borough and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 1148 Recommendations to Private Persons Et Cetera The Borough Planning Commission may make recommendations to any public authorities or any corporations or individuals in said boroughs with reference to the location of any buildings structures or works to be erected or constructed by them

Section 1149 Plans of Lots Et Cetera to be Submitted Before Recording Approval of Sewers Et Cetera All plans plots or replots of lands laid out in building lots and the streets [alleys] or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the borough limits shall be submitted to the Borough Planning Commission and approved by it before [it] they shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the Borough Planning Commission The disapproval of any such plan by the Borough Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the borough concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the borough shall have made actual appropriations of the same by entry use or improvements No sewer water or gas main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit or connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved

Section 1150 [Ordinances to Conform Action Eligibility of Commissioners] Exercise of Planning Commission Functions by Other Agencies It shall be proper for said boroughs to provide by ordinance for the exercise of all rights and powers herein conferred upon the Borough Planning

Commission by a park commission or kindred municipal bureau or commission authorized under existing laws [And no person holding office under the government of any of said boroughs except the burgess or members of councils shall be eligible to serve as a member of a Borough Planning Commission]

(i) Bureau of Mine Inspection and Surface Support

Section 1155 Ordinance Creating Boroughs within the limits of the anthracite region of the Commonwealth may by ordinance create a bureau of mine inspection and surface support

Section 1156 Bureau How Constituted The bureau shall consist of one practical mining engineer to be appointed by the burgess with consent of the council and such assistants clerks and employes as the council may provide The officers and employes of the bureau shall receive such compensation as may be prescribed by council

Section 1157 Inspection of Mines Members of the bureau may enter inspect examine and survey any mine or colliery within the limits of the boroughs at all reasonable times either by day or night but not so as to impede nor obstruct the workings of the mine or colliery and may take with them such other persons as may be necessary for the purpose of making an examination or survey The owner operator or superintendent of such mine or colliery shall furnish the means necessary for such entry inspection examination survey and exit

Section 1158 Operators to Furnish Maps Contents The owner operator or superintendent of every coal mine or colliery within three months after the passage of an ordinance by any borough creating such bureau shall make or cause to be made and furnish to such bureau an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch The map or plan shall exhibit the workings or excavations in every seam of coal on a separate sheet and the tunnels and passages connecting with such workings or excavations It shall show in degrees the general inclination of the strata with any material deflection therein in the workings or excavations and shall also show the tidal elevations of the bottom of every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the bureau The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

Section 1159 Extensions to be Placed on Maps Every mine owner operator or superintendent shall place or cause to be placed upon the map of the bureau at least once in every three months all the extensions made in any mine within the limits of such borough during the three preceding months except those made within thirty days immediately preceding the time of placing such extensions upon the said map

Section 1160 Certain Surface Supports Not to be Removed It shall be unlawful for any person copartnership association or corporation to dig mine remove or carry away the coal rock earth or other minerals or materials forming the natural support of the surface beneath the public highway streets alleys courts and places of any borough in the anthracite region to such an extent and in such a manner as to thereby remove the necessary support of the surface without having first placed or constructed an artificial permanent support sufficient to uphold and preserve the stability of the surfaces of such public highways streets alleys courts and places

Section 1161 Penalty Any person being the general manager superintendent or person in charge of the work of any corporation copartnership or association violating any of the provisions of this article shall be guilty of a misdemeanor and upon conviction [before a justice of the peace of the borough] thereof shall be sentenced for such offense to pay a fine not exceeding one thousand dollars or to undergo imprisonment in the county jail for a period not exceeding ninety days or both All fines imposed under this section shall be paid into the treasury of the borough

Section 1162 Enactment of Ordinances Borough councils may enact such ordinances as may be necessary for the enforcement of the provisions of this article

Section 39 The said act of May 4 1927 (P. L. 519) is hereby revised and amended by adding subdivision (j) and Section 1165 to 1190 inclusive to Article XI of said act as follows

(j) Civil Service for Police and Firemen

Section 1165 Appointments of Police and Firemen This subdivision (j) of this article shall not apply to any borough having a police force of less than three members or to volunteer departments or companies employing their own operators or to boroughs having less than three salaried operators of fire apparatus this subdivision (j) of this article is subject as heretofore to the power of council to determine compensation Hereafter each and every appointment to and promotion in the police force or as fire apparatus operators paid directly by the borough in every borough shall be made only according to qualifications and fitness to be ascertained by examinations which shall be competitive as hereinafter provided

Ne person shall hereafter be suspended removed or reduced in rank as a paid employe in any police force or as a paid operator of fire apparatus of any borough except in accordance with the provisions of this subdivision

Section 1166 Civil Service Commission Created Appointments Vacancies There is hereby created in each borough where a police force or paid fire apparatus operators as hereinbefore provided are being maintained a civil service commission hereinafter referred to as the commission The commission shall consist of three commissioners who shall be qualified electors of the borough and shall be appointed by the borough council initially to serve for the terms of two four and six years and as terms thereafter expire shall be appointed for terms of six years

Any vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term within the period of thirty days after such vacancy occurs

Each member of the commission created by this subdivision before entering upon the discharge of the duties of his office shall take an oath or affirmation to support the Constitution of the United States and of the Commonwealth of Pennsylvania and to perform his official duties with fidelity

Section 1167 Offices Incompatible with Civil Service Commissioner No Commissioner shall at the same time hold an elective or appointed office under the United States government the Commonwealth of Pennsylvania or any political subdivision of the Commonwealth except that one member of the commission may be a member of the council of the borough

Section 1168 Organization of Commission Quorum The commission first appointed shall organize within ten days of its appointment and shall elect one of its members as the chairman and one as the secretary The commission shall thereafter meet and organize on the first Monday of each even-numbered year Each commissioner shall be notified in writing of each and every meeting Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members

Section 1169 Clerks and Supplies Etc The borough shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission The borough shall provide a suitable and convenient room for the use of the commission The commission shall order from the borough the necessary stationery postage printing or supplies and the elected and appointed officials of every such borough shall aid the commission in all proper ways in carrying out the provisions of this subdivision relating to civil service

Section 1170 Rules and Regulations The commission shall have power to prescribe amend and enforce rules and regulations for carrying into effect the provisions of this subdivision and shall be governed thereby Before any such rules and regulations are in force the same shall

first be approved by the council of the borough. When such rules and regulations have been so approved they shall not be annulled, amended or added to without the approval of the said council. All rules and regulations and modifications thereof shall be printed for public distribution at the expense of the borough.

Section 1171 Minutes and Records. The commission shall keep minutes of its proceedings and records of examinations and other official actions. All recommendations of applicants for appointment received by the commission shall be kept and preserved for a period of five years and all such records and all written causes of removal filed with the commission shall be subject to reasonable regulation and open to public inspection.

Section 1172 Investigations. The commission shall have power to make investigations concerning all matters touching the administration and enforcement of the civil service provisions of this article and rules and regulations adopted thereunder. The chairman of the commission is hereby given power to administer oaths.

Section 1173 Subpoenas. The commission shall have power to issue subpoenas over the signature of the chairman to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry. The fees of such witnesses for attendance and travel shall be the same as for witnesses appearing in the courts and shall be paid from appropriations for the incidental expenses of the commission.

All officers in public service and employees shall attend and testify when required to do so by the commission.

If any person shall refuse or neglect to obey any subpoena issued by the commission he shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not to exceed one hundred dollars (\$100.00) and in default of the payment of such fine and costs shall be imprisoned not to exceed thirty days.

If any person shall refuse or neglect to obey any subpoena issued by the commission it may apply by petition to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the commission or the court there to testify and to produce any records and papers necessary and in default thereof shall be held in contempt of court.

Section 1174 Annual Report. The commission shall make an annual report to the council containing a brief summary of its work during the year which shall be available for public inspection.

Section 1175 General Provisions Relating to Examinations. The commission shall make rules and regulations to be approved as provided in section 1170 hereof providing for the examination of applicants for positions in the police force and as paid operators of fire apparatus and for promotions which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades. All examinations for positions or promotions shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them. All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations. Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission.

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the borough or in a newspaper circulating generally in the borough at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place.

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination. Persons male or female who served in the

military or naval service of the United States during any war in which the United States has been is now or shall hereafter be engaged and who have honorable discharges from such service who have successfully passed the examination shall be given the additional credits and preference in appointment and promotion provided for by law.

Section 1176 Application for Examination. Each person desiring to apply for examination shall file with the commission a formal application in which the applicant shall state under oath or affirmation (a) his full name and residence or post office (b) his citizenship place and date of birth (c) his condition of health and physical capacity for public service (d) his business or employment and his residence for the past five years and (e) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined.

Section 1177 Rejection of Applicant Hearing. The commission may refuse to examine or if examined may refuse to certify after examination as eligible any applicant who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use of intoxicating liquors or narcotic drugs or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group whose policies or activities are subversive to the form of government set forth in the constitutions and laws of the United States and Pennsylvania.

If any applicant or person himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible after examination the commission shall at the request of such person within ten (10) days appoint a time and place where he may appear personally and by counsel. Whereupon the commission shall then review its refusal to make such examination or certification and take such testimony as may be offered. The decision of the commission shall be final.

Section 1178 Manner of Filling Appointments. Every position or employment in the police force or as paid operators of fire apparatus except that of chief of police or chief of the fire department or equivalent shall be filled only in the following manner: the council shall notify the commission of any vacancy which is to be filled and shall request the certification of a list of eligibles. The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon who have received the highest average. The council shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in section 1177 of this act. Should such objections be sustained by the commission as provided in said section the commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each name stricken off. As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed.

In the case of a vacancy in the office of chief of police or chief of the fire department or equivalent official the appointive power may nominate a person to the commission. It shall thereupon become the duty of the commission to subject such person to a non-competitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this act.

Section 1179 Age Applicants Residence. No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of application and has been a resident of the borough for at least one year pre-

ceding immediately his application unless no such resident applicants are available

Section 1180 Probationary Period All original appointments to any position in the police force or as paid operators of fire apparatus shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for a cause specified in section 1177 of this act. If at the close of a probationary period the conduct or fitness of the probationer has not been satisfactory to the council the probationer shall be notified in writing that he will not receive a permanent appointment. Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment

Section 1181 Provisional Appointments Whenever there are urgent reasons for the filling of a vacancy in any position in the police force and there are no names on the eligible list for such appointment the council may nominate a person to the commission for noncompetitive examination and if such nominee shall be certified by the commission as qualified after such noncompetitive examination he may be appointed provisionally to fill such vacancy. It shall thereupon become the duty of the commission within three weeks to hold a competitive examination and certify a list of eligibles and a regular appointment shall then be made from the name or names submitted by the Commission. Provided however That nothing herein contained shall prevent the appointment without examination of persons temporarily as police officers in cases of riot or other emergency or of operators of fire apparatus in emergency cases

Section 1182 Promotions Promotions shall be based on merits to be ascertained by examinations to be prescribed by the commission. All questions relative to promotions shall be practical in character and such as will fairly test the merit and fitness of persons seeking promotion

The council shall have power to determine in each instance whether an increase in salary shall constitute a promotion

Section 1183 Physical Examinations All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the commission. No person shall be eligible to take an examination until said doctor certifies that the applicant is free from any bodily or mental defects deformity or disease that might incapacitate him from the discharge of the duties of the position desired

Section 1184 Removals No person employed in any police or fire force of any borough shall be suspended removed or reduced in rank except for the following reasons (1) physical or mental disability affecting his ability to continue in service in which cases the person shall receive an honorable discharge from service (2) neglect or violation of any official duty (3) violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor or felony (4) inefficiency neglect intemperance disobedience of orders or conduct unbecoming an officer (5) intoxication while on duty (6) engaging or participating in conducting of any political or election campaign otherwise than to exercise his own right of suffrage. A person so employed shall not be removed for religious racial or political reasons. A written statement of any charges made against any person so employed shall be furnished to such person within five days after the same are filed

If for reasons of economy or other reasons it shall be deemed necessary by any borough to reduce the number of paid employees of the police or fire force then such borough shall apply the following procedure (a) if there are any employees eligible for retirement under the terms of any retirement or pension law then such reduction in numbers shall be made by retirement if the party to be retired is sixty-five years of age or over (b) if the number of paid employees in the police force eligible to retirement is insufficient to effect the necessary reduction in number or if there are no persons eligible for retirement

or if no retirement or pension fund exists then the reduction shall be effected by furloughing the man or men including probationers last appointed to the respective force. Such removal shall be accomplished by furloughing in numerical order commencing with the man last appointed until such reduction shall have been accomplished. In the event the said police force shall again be increased the employees furloughed shall be reinstated in the order of their seniority in the service

Section 1185 Hearings on Dismissals and Reduction If the person suspended removed or reduced in rank shall demand a hearing by the commission the demand shall be made to the commission. Such person may make written answers to any charges filed against him not later than the day fixed for hearing the commission shall grant him a hearing which shall be held within a period of ten days from the filing of charges in writing unless continued by the commission for cause at the request of the council or the accused. At any such hearing the person against whom the charges are made may be present in person and by counsel. The council may suspend any such person without pay pending the determination of the charges against him but in the event the commission fails to uphold the charges then the person sought to be suspended removed or demoted shall be reinstated with full pay for the period during which he was suspended removed or demoted and no charges shall be officially recorded against his record

A stenographic record of all testimony taken at such hearings shall be filed with and preserved by the commission which record shall be sealed and not be available for public inspection in the event the charges are dismissed

In the event the commission shall sustain the charges and order the suspension removal or reduction in rank the person suspended removed or reduced in rank shall have immediate right of appeal to the court of common pleas of the county and the case shall there be determined as the court deems proper. No order of suspension made by the commission shall be for a longer period than one year. Such appeal shall be taken within sixty days from the date of entry by the commission of its final order and shall be by petition. Upon such appeal being taken and docketed the court of common pleas shall fix a day for a hearing and shall proceed to hear the appeal on the original record and such additional proof or testimony as the parties concerned may desire to offer in evidence. The decision of the court affirming or revising the decision of the commission shall be final and the employee shall be suspended discharged demoted or reinstated in accordance with the order of the court

The council and the person sought to be suspended removed or demoted shall at all times have the right to employ counsel before the commission and upon appeal to the court of common pleas and shall have the further right of appealing to the Superior or Supreme Court in the manner provided by law

Section 1186 Present Employees Exempted All appointments in the police or fire forces of boroughs including the chief of police or equivalent official upon the effective date of this act shall continue to hold their positions and shall not be required to take any examination under the provisions of this act except such as may be required for promotion. Provided however That this section shall not be construed to apply to persons employed temporarily in emergency cases

Section 1187 Discrimination on Account of Political or Religious Affiliations No question in any form of application for examination or in any examination shall be so framed as to elicit information concerning the political or religious opinions of any applicant nor shall inquiry be made concerning such opinion or affiliations and all disclosures thereof shall be discountenanced

No discrimination shall be exercised threatened or promised by any person against or in favor of any applicant or employee because of political or religious opinions

or affiliations or race and no offer or promise of reward favor or benefit directly or indirectly shall be made to or received by any person for any act done or duty omitted or to be done under this subdivision of this article

Section 1188 Penalty Any councilman who by his vote causes to be appointed any person to the police force or as a fire apparatus operator contrary to the provisions of this act or any councilman or member of the commission who wilfully refuses to comply with or conform to the provisions of subdivision (j) of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred (\$100.00) or suffer imprisonment not exceeding three months or both

Section 1189 Salaries of Civil Service Commission The civil service commissioners of boroughs shall receive no compensation

Section 1190 Police Force and Fire Apparatus Operators Defined Police force as used in subdivisions (i) and (j) of this article shall mean a police force organized and operating as prescribed by law the members of which devote their normal working hours to police duty or duty in connection with the bureau agencies and services connected with police protection work and who are paid a stated salary or compensation for such work by the borough

Fire apparatus operators as used in this subdivision (j) of this article shall mean any person who operates fire apparatus and devotes his normal working hours to operating any piece of fire apparatus or other services connected with fire protection work and who is paid a stated salary or compensation for such work done by the borough

Section 40 Sections 1201 and 1202 of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XII

Corporate Powers

Section 1201 General Powers A borough may

I Have succession perpetually by its corporate name

II Sue and be sued and complain and defend in the courts of the Commonwealth

III Make and use a common seal and alter the same at pleasure

IV Purchase acquire by gift or otherwise hold lease let and convey such real and personal estate as the purposes of the borough shall require property as shall be deemed to be to the best interests of the borough

Section 1202 Specific Powers [The words "corporate authorities" or "corporate officers" when applied to boroughs shall mean the borough council even though the action undertaken is by ordinance and subject to the approval or veto of the Burgess The legislative powers of boroughs including any capital expenditures not payable out of the current funds for the year shall be exercised by or based upon an ordinance and all other powers by vote of the majority of council present at a meeting unless otherwise prescribed Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor is previously given or the action is subsequently ratified by council As thus defined borough shall have power] The powers of the borough shall be vested in the corporate officers They shall have power

I Street Sewer Building Et Cetera Regulations To regulate the [roads] streets [lanes alleys common] sewers public squares common grounds [footwalks] sidewalks curbs gutters culverts and drains and the heights grades widths slopes and [forms] construction thereof and to prohibit the erection or construction of any building or other obstruction to the convenient use of the same

II Fees for Service of Officers To prescribe reasonable fees for the services of their officers in the adjustment of grades curbs lines of streets and the like and to enforce the payment of the same

III Water Supply To provide a supply of water for the use of the inhabitants and to make regulations for the

protection of the pipes reservoirs and other constructions or apparatus and to prevent the waste of water so supplied

IV [Night Watch To establish a night watch] Police Force To establish a police force

V Street Lighting To provide street lights and to make regulations for the protection thereof and upon the petition of a majority of abutting property owners of the section affected to provide for the ornamental illumination of any section of the borough and to collect the cost of the installation of such illumination from the owners of property fronting the streets upon which the same is installed by the foot-front rule

VI Comfort Stations To construct and maintain [in any of the highways] within the borough limits comfort and waiting stations and drinking fountains The damages accruing to abutting properties by reason of any such improvements shall be ascertained and collected in the manner provided in article fourteen of this act

VII Watering Troughs To erect and maintain watering troughs

VIII Nuisances To prohibit and remove any obstruction or nuisance in the [highways] streets of the borough

IX Nuisances and Dangerous Structures To prohibit and remove any nuisance or dangerous structure on public or private grounds or to require the removal of the same by the owner or occupier of such grounds in default of which the borough may cause the same to be done and collect the cost thereof together with a penalty of [twenty] ten per centum of such cost in the manner provided by law for the collection of municipal claims or by action of assumpsit or may seek relief by bill in equity

X Hogs To prohibit the keeping of hogs within the borough or within any part of the borough

XI Cesspools and Drain Regulations To make regulations respecting vaults cesspools plumbing and drains

XII Manure and Compost Regulations To make regulations relative to the accumulation of manure compost and the like

XIII Garbage and Rubbish To prohibit accumulations of garbage or rubbish upon private properties and to prescribe penalties for the enforcement thereof

XIV Removal of Garbage Et Cetera To make regulations for the care and removal of garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and to prescribe fines and penalties for the violation of such regulations

XV Garbage Plants To erect maintain and operate garbage-plants either within or without the limits of the borough or to provide other means for the collection destruction or removal of garbage and other refuse material and to provide for the payment of the cost or expense thereof either in whole or in part out of the funds of the borough

XVI Noxious and Offensive Businesses To prohibit within the borough the carrying on of any manufacture art trade or business which may be noxious or offensive to inhabitants

XVII Health and Cleanliness Regulations To make such [other] regulations as may be necessary for the health safety morals general welfare and cleanliness and the beauty convenience comfort and safety of the borough

XVIII Fire Regulations To make regulations within the borough or within such limits thereof as may be deemed proper relative to the cause and management of fires and the prevention thereof

XIX Fire Apparatus and Houses To purchase or contribute to the purchase of fire-engines and fire-apparatus and supplies for the use of the borough and to appropriate money to fire companies and for the construction repair and maintenance of fire company houses

XX Wooden Structures To prohibit or regulate erection of wooden buildings and structures

XXI Buildings and Building Inspection To make regulations for the construction of new buildings and repair of old ones and to require that before the work begins [municipal] approval of the plans and specifications therefor be secured and to provide for the inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein

none but buildings of non-combustible material and fire-proof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for the violation of such regulations Any building erected reconstructed or removed contrary to the provisions of any ordinance passed for any of the purposes specified in this clause is declared to be a public nuisance and abatable as such

XXII Inflammable Articles To prohibit the manufacture sale [or exposure of fireworks or other] or storage of inflammable or dangerous articles to prescribe the quantities of inflammable articles that may be kept in place and to prescribe such other safeguards as may be necessary

XXIII Party Wall and Fence Regulations To make regulations respecting partition fences and the foundations and party-walls of buildings

XXIV Fees of Officers To prescribe reasonable fees for the service of [their] borough officers in the adjustment of party walls partition fences and the like and to enforce the payment of the same

XXV Building Lines By suitable ordinance to establish and maintain uniform building lines upon any or all [public] streets [roads highways lanes and alleys] of said boroughs [and townships]

XXVI Licensing Amusements To regulate license fix the time of opening and closing or prohibit theatrical exhibitions amusements dances at which an admission or other fee is charged and other exhibitions to regulate [and] license and to fix the time of opening and closing of pool-rooms billiard-rooms shooting galleries skating rinks and [tenpin] bowling alleys

XXVII Markets [and] Market Houses and Peddling To regulate markets and peddling whether for individual use or for resale and to provide for the inspection of milk and to purchase and own ground for and to erect establish and maintain market houses and market places for which latter purposes parts of any streets or sidewalks may be temporarily used to contract with any person or persons or association of persons companies or corporations for the erection maintenance and regulation of market houses and market places on such terms and conditions and in such manner as the council may prescribe to provide and enforce suitable regulations [of] respecting said market houses and market places and to provide for the payment of the cost or expense thereof either in whole or in part out of the funds of the borough and to levy and collect a suitable license tax from every person [or persons] who may be authorized by council to occupy any portion of said market houses or market places or any portion of the streets or sidewalks for temporary market purposes

XXVIII [Weights and Measures] To regulate the scales weights and measures according to the standard of the Commonwealth to provide for the confiscation of false weights and measures and to regulate the inspection and measurement or weight of articles offered for sale in the borough joint municipal agreements To enter into agreements with other political subdivisions in accordance with existing laws in making joint purchases of materials supplies or equipment and in performing governmental powers duties and functions and in carrying into effect provisions of law relating to said subjects which are common to such political subdivisions

XXIX Insurance on Property To make contracts of insurance with any mutual or other fire insurance company association or exchange duly authorized by law to transact insurance business in the Commonwealth of Pennsylvania any building or property owned by the borough

XXX [Compensation] Other Insurance To appropriate such amount as may be necessary to secure insurance or compensation for volunteer firemen killed or injured while going to returning from or attending fires [in the borough or territory adjacent thereto] To make contracts of insurance with any insurance company association or exchange authorized to transact business in this Commonwealth insuring borough employees or any class or classes thereof under a policy or policies of insurance covering life health or accident insurance and to contract with any such company granting annuities or pensions for the

pensioning of such employees and to agree to pay part or all of the premiums or charges for carrying such contracts and to appropriate moneys from the borough treasury for such purposes

XXXI Appropriations to County Borough Associations To appropriate annually a sum of money not exceeding seventy-five dollars for the support of any association composed of electors of the several boroughs cities of the third class and townships within the county formed for the study and investigation of the welfare economics management and government of boroughs cities of the third class and townships and for the protection and safeguarding of the rights and franchises of boroughs and townships and for the purpose of recommending legislation beneficial to boroughs and townships or any one or more of such purposes and also annually a sum of money not exceeding seventy-five dollars [(\$75.00)] for the support of an association composed of elected and appointed borough officials in a particular county or in several adjoining or nearby counties organized for the purpose of furthering the interests of the boroughs in the association and their inhabitants Within the aforesaid limit the association may fix the scale of annual dues on a population or other reasonable basis but each borough member shall have an equal voice in its affairs

The association may adopt its own plan of organization government and procedure and provide means of stimulating interest and attendance at meetings and provide for help and instruction to its members Appropriations when made to county associations shall hereafter be under its control either through authorization of expenditure or by subsequent ratification A county association may affiliate itself with other political subdivisions when mutual municipal or public interests are involved and may withdraw therefrom

XXXII Dogs To prohibit or regulate the running at large of dogs and in the enforcement of such regulations to direct the killing of dogs or their seizure and detention including reasonable charges therefor or to provide for their sale for the benefit of the borough

XXXIII Animals To prohibit and regulate the running at large of other animals and to authorize their seizure and detention including reasonable charges therefor or to provide for their sale for the benefit of the borough

XXXIV Fines and Forfeitures To impose fines and penalties incurring partial or total forfeitures or to remit the same

XXXV Lockup To provide a lockup for the temporary detention of persons

XXXVI Flags To display the flag of Pennsylvania or the flag of any county city borough or other municipality in the State on the public buildings of the borough

XXXVII Contracts with Railways Et Cetera To enter into contract with any person or company operating a street passenger railway [company] surface elevated or underground or [motor power company] furnishing motor transportation or leasing and operating the franchise and property of such person or company within the limits of the borough regulating the franchises powers duties and liabilities of such persons or companies and the respective rights of the contracting parties Such contracts may inter alia provide for payments by the persons or companies to the borough in lieu of the performance of certain duties or the payment of license fees or charges imposed in favor of such borough or by the characters of [the respective] any such companies or by any general law or ordinances for the appointment by the borough of a certain number of persons to act as directors of any such company in conjunction with the directors elected by the stockholders of such company and may further provide for the ultimate acquisition by the borough upon terms mutually satisfactory of the leaseholds property and franchises of the contracting persons or companies

XXXVIII Eminent Domain For National Guard Purposes To take by right of eminent domain for the purpose of appropriating to themselves for the use of the National Guard of Pennsylvania such public lands easements and public property as may be in their possession or control and used or held by them for any other purpose Such

right however shall not be exercised as to any street or wharf [but all other public easements and property may be appropriated and used for the purposes herein provided and limitation of the use thereof by the borough either by domain dedication appropriation statute or otherwise to the contrary notwithstanding]

XXXIX Lands for Armory Purposes To acquire by purchase or by gift or by the right of eminent domain any land for the use of the National Guard of Pennsylvania to convey such lands so acquired to the Commonwealth of Pennsylvania in order to assist the Armory Board in the erection of armories [The proceedings for the condemnation of lands under the provisions of this clause and for the assessment of damages for property taken injured or destroyed shall be taken in the same manner as is now provided by law for the condemnation of lands for public purposes in boroughs] The power conferred by this clause shall not be exercised to take any church property graveyard cemetery or any dwelling-house or the curtilage of the same in the actual occupancy of the owner

XL Appropriation of Money Et Cetera to Assist in Erection of Armories To appropriate money or convey land either independently or in conjunction with any county city town borough or other municipal division to the Commonwealth [of Pennsylvania] for the purpose of assisting the Armory Board of the Commonwealth [of Pennsylvania] in the erection of armories for the use of the National Guard and to furnish water sewer service light or fuel free of cost to the Commonwealth [of Pennsylvania] for use in any armory of the National Guard and to do all things necessary to accomplish the purpose of this clause

XLI Appropriations for Memorial Day To appropriate money for the expenses of Memorial Day services

XLII Appropriations to [Posts] Organizations of Veterans To appropriate annually a sum not exceeding five hundred dollars to [each camp of the United Spanish War Veterans and to each post of the American Legion and to each post of the Veterans of Foreign Wars and to each Naval Association and to each post of the Disabled American Veterans of the World War] organizations composed of veterans of any war in which the United States was engaged [and to each organization of ex-service men incorporated under the act of April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto in the respective borough a sum not to exceed two hundred dollars] to aid in defraying the expenses of Memorial Day [and] Armistice Day or any similar day hereafter provided for by State or Federal Law Such payments shall be made to defray actual expenses only Before any payment is made the organization receiving the same shall submit verified accounts of their expenditures

XLIII [Appropriations to Grand Army Posts To make and they are hereby so required annual appropriations to each post of the Grand Army of the Republic in the borough in a sum not exceeding fifty dollars to aid in defraying expenses of Memorial Day and if there is no post in said borough then said appropriation may be made to a post in any municipality or township to be designated by the council] **Parking lots** To acquire by lease purchase or eminent domain any land which the corporate authorities may deem necessary or desirable for the purpose of establishing and maintaining parking lots and to regulate the use thereof and to regulate parking and provide parking accommodations so as to promote the convenience and protection of the public

XLIV Payment of Rent for Veterans' [Posts and Camps] Organizations By a two-thirds vote of the council to appropriate money to any incorporated [camp or post] organization of veterans of any war in which the United States was engaged to be used in the payment of the rent of any building or room or rooms in which such camp or post has its regular meetings

XLV Rooms for Veterans' [Posts and Camps] and Sons of Veterans' Organizations Upon application therefor to furnish to each organization composed of veterans of [the Civil War veterans of the Spanish-American War

veterans of the War with Germany and Austria veterans of any foreign war] any war in which the United States was engaged and sons of veterans a room or rooms in any public building of such borough sufficient for the meeting of each of such organizations at least once each month and in the case of municipally owned utilities to furnish service without charge to such rooms and also to buildings occupied by [posts camps or] organizations of veterans of any war in which the United States was engaged

XLVI Care and Erection of Memorials To take charge of care for maintain and keep in good order and repair at the expense of the borough any soldiers' monument gun or carriage or similar memorial situate in the borough and not in the charge or care of any person body or organization and not put up or placed by the Government of the United States the Commonwealth of Pennsylvania the commissioners of the county or by the direction or authority of any State of the Union and to receive from any person or organization any moneys or funds which can be used for the maintenance of such memorials and to expend the same and to erect [and provide for] or contribute to the erection of memorials in honor of those who served in any war in which the United States was engaged at a cost or in a sum not to exceed one thousand dollars [(\$1000)] and thereafter to properly and adequately maintain the same

XLVII Numbering Buildings To require and regulate the numbering of buildings

XLVIII Municipal Music To appropriate money not in excess of the sum of one thousand dollars [(\$1000)] annually for the expense of municipal music

XLIX Purchase and Planting of Trees Appropriations to Forest Protection Associations To accept purchase and plant or contribute to the purchasing and planting of shade trees along the [highway] streets and sidewalks of the borough [at the expense of the borough and to appropriate moneys to any forest protection association co-operating in forest work with the State Department of Forests and Waters or to be expended in direct cooperation with said Department of Forests and Waters in forest work]

L Appropriations for Burial-Ground Maintenance To appropriate annually out of the general funds of the borough a sum not exceeding five hundred dollars [(\$500.00)] for the care upkeep maintenance and beautifying of cemeteries burial-grounds and private roads therein or leading thereto lying wholly or partly within the boundary limits of such borough or in the territory immediately adjacent [or contiguous] to the borough

LI Smoke Regulations To regulate the emission of smoke from chimneys smoke-stacks and other sources Provided however That this clause shall not apply to locomotive smoke-stacks

LIJ Municipal Claims To file and collect municipal claims for water rents lighting rates and sewer rates in the manner [now] provided by law

LIJ [Regulation of Contracts To make to authorize and to ratify expenditures for lawful purposes from funds available therefor out of the current year's revenues or made available therefor by borrowing within legal limitations Provided That all contracts or purchases in excess of five hundred dollars (\$500) except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If

for any reason one or both of the above meetings shall not be held the same business may be transacted at subsequent meetings Provided That at least five days' notice thereof shall be published in the newspaper aforesaid

The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum (50%) of the amount of the contract within ten days after the contract has been awarded and upon failure to furnish such bond within such time the previous award shall be void Provided That delivery accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

The contracts or purchases made by any council involving an expenditure of over five hundred dollars (\$500) which shall not require advertising or bidding as hereinbefore provided are as follows

(a) Those made for maintenance repairs or replacements for water electric light and other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases or work done

(b) Those made for improvements repairs or maintenance of any kind made or provided by any borough through its own employees Provided however That this shall not apply to construction materials used in a street improvement

(c) Those where particular types models or pieces of equipment articles apparatus appliances vehicles or parts thereof new second hand or rebuilt are desired by council which are patented and manufactured products

(d) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with any municipal authority those in which another political subdivision county the Commonwealth of Pennsylvania or the Federal Government or any agency of the Commonwealth or Federal Government or any municipal authority is a party or cooperates including herein the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies Provided however That the price thereof or the expenditure therefor shall not be in excess of those fixed by the Commonwealth the Federal Government or their agencies

(e) Those involving personal or professional services Except as herein provided no borough official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the borough or for any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars (\$300) in any year but this limitation shall not apply to cases where such officer or appointee of the borough is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise Provided however That in the case of a councilman or burgess if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditures or any ordinance relating thereto and shall in no manner participate therein Provided further That any such official or appointee who shall knowingly violate this provision shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the borough ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) Zoning ordinances To adopt and enforce zoning ordinances regulating the location con-

struction and use of buildings the size of courts and open spaces the density of population and the use of lands

LIV [Bonds for the Protection of Labor and Materialmen It shall be the duty of every borough to require any person copartnership association or corporation entering into a contract with such borough for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred (\$500) dollars before commencing work under such contract to execute and deliver to such borough in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty (50%) per centum and not more than one hundred (100%) per centum of the contract price as such borough may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated Such additional bond shall be deposited with and held by the borough for the use of any party interested therein Every such additional bond shall provide that every person copartnership association or corporation who whether as subcontractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the borough for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof Provided however That the borough shall not be liable for the payment of any costs or expense of any suit General powers To make and adopt all such ordinances by-laws rules and regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth as may be expedient or necessary for the proper management care and control of the borough and its finances and the maintenance of peace good government safety and welfare of the borough and its trade commerce and manufactures

LV Disorderly Conduct Ordinances To adopt ordinances defining disorderly conduct within the limits of the borough and to provide in such ordinances for the imposition of penalties for the violation thereof notwithstanding like statutes pertaining to the same or similar offenses

LVI Community Buildings To purchase and own ground for and to erect establish or purchase a building to be used [as al for community [building or center] purposes and to maintain the same to provide for the payment of the cost thereof and the expense of such maintenance either in whole or in part out of the funds of the borough

LVII Creation of Special Funds Investments To set aside in a separate fund any moneys received out of or from the sale lease or other disposition of any borough property or received from any source other than taxation unless such money was received or acquired for a particular purpose Such fund shall be controlled invested and administered and the income arising therefrom expended in such manner as may be determined by action of the council pursuant to the ordinance creating the fund [and such] Such ordinance may provide that only the income from such fund may be used or expended and that neither principal nor any part thereof may be used or expended unless upon authorization of a majority vote of the qualified electors of the borough [— in the same manner as an election under the then existing laws of the Commonwealth of Pennsylvania upon a proposed increase in the corporate indebtedness of such borough is required to be submitted to the electorate thereof] All ordinances heretofore enacted and ordained by any borough creating

and establishing such a separate fund as is authorized by this clause shall be deemed and taken as valid and effectual for all purposes Provided That all other requirements of law concerning the enactment of the same have been complied with

LVIII Inclined Planes To acquire by purchase lease or otherwise from a public service company any existing inclined plane passenger and vehicular traffic transportation facilities and to maintain and operate the same in the transportation of passengers and vehicles for hire and for the accommodation of the public and in like manner to acquire or to establish bus feeder lines and to maintain and operate the same in connection with such inclined plane passenger and vehicular traffic transportation facilities

LVIII.1A Contract With Adjacent Municipalities for Fire Protection Joint Contracts for Police and Fire Protection To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships either for mutual aid or assistance in police and fire protection or for the furnishing to or receiving from such cities boroughs or townships aid and assistance in police and fire protection and to make appropriations therefor Provided That in connection with such contracts it shall not be necessary to advertise for bids or receive bonds as required for other contracts under existing law

LIX Support of National Guard Units To appropriate annually a sum not exceeding seven hundred and fifty dollars for the support and maintenance discipline and training of any dismounted company or similar unit of the National Guard and a sum not to exceed fifteen hundred dollars for the support and maintenance of any mounted or motorized troop or similar unit of the National Guard Where such units are organized as a battalion regiment or similar organization the total amount due may be paid to the commanding officer of the battalion regiment or similar organization Any moneys so appropriated shall be paid by warrant drawn to the order of the commanding officer of such company battalion regiment or similar organization only when it shall be certified to the borough by the Adjutant General of the State that the said company or companies have satisfactorily passed the annual inspection provided by law The moneys so appropriated shall be used and expended solely and exclusively for the support and maintenance discipline and training of the said company battalion regiment or similar organization and the commanding officer shall account by [the] proper vouchers to the said borough each year for the expenditure of the money so appropriated and no appropriation shall be made for any subsequent year until the expenditure of the previous year is duly and satisfactorily accounted for

The accounts of such expenditures shall be subject to the inspection of the Department of Military Affairs and shall be audited by the Auditor General in the manner provided by law for the audit of accounts of State moneys

LX Hospital Appropriations [For] In the case of boroughs having a population of two thousand inhabitants and upwards to appropriate moneys for the support of any incorporated hospital which is engaged in charitable work and extends treatment and medical attention to residents of such borough but no such appropriation shall exceed in any year the cost of free service extended to residents of the borough which is in excess of any amount paid by the Commonwealth towards such free service

LXI Building Codes by Reference To enact and enforce suitable ordinances relating to buildings their construction alteration extension repair maintenance and all facilities and services in or about such buildings and for the enforcement thereof and provide for the enforcement thereof by a reasonable fine and by instituting appropriate actions or proceedings at law or in equity to effect the purpose of this [act] provision and ordinances thereunder At least one week and not more than three weeks prior to the presentation of the proposed building code

ordinance to council and informative notice of intention to consider such proposed ordinance and a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed building code may be examined or obtained shall be published in the manner provided by law for the publication of ordinances

The provisions of the ordinance need not be advertised or recorded as in other cases but may be supplied by reference to a standard building code approved by the Department of Internal Affairs of the Commonwealth or to parts thereof determined by council or the provisions of the ordinances may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the borough council or the provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the ordinance thus adopted by reference shall be made available to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such ordinance whether by reference to a standard building code or to a typed or printed code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein The procedure set forth relating to the adoption of the ordinance by reference may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance

LXII Community Nurse Services To appropriate money not in excess of five hundred dollars [(\$500.00)] annually for the expense of community nurse services

LXIII Community Ambulance Service To appropriate money [not in excess of one thousand dollars (\$1,000.00)] annually [for the expense of the maintenance and support of] towards a nonprofit community ambulance service

LXIV Junk yards to regulate the establishment and maintenance of junk yards salvage yards and other places used and maintained for the collection storage and disposal of used or second-hand goods and materials

LXV Regulation of charges in the operation of its utilities parking meters parking lots or its other facilities and services to the public to make and regulate charges therefor for general borough purposes in relief of taxes on real estate

Section 41 Sections 1301 1302 1303 and 1304 of article XIII of said act of May 4 1927 (P L. 519) are hereby reenacted revised and amended and Sections 1305 1306 1307 1308 1309 1310 and 1311 are added to said Article XIII as follows

Article XIII

Taxation and Finance

Section 1301 [General Tax Levy The council of the borough shall have power by ordinance to levy and collect annually [for general borough purposes] any tax not exceeding fifteen [(15)] mills for general borough purposes and in addition thereto such additional millage as may be sufficient to pay interest and sinking fund charges on the indebtedness of the borough where the borough council by majority action shall upon due cause shown petition the court of quarter sessions for the right to levy additional millage the court after such public notice as it may direct and after hearing may order a greater rate than fifteen (15) mills but not exceeding five additional mills to be levied The said taxes shall be levied on the dollar on the valuation assessed for county purposes as now is or may be provided by law All real property offices professions and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for [general borough] such purposes No action on the part of the borough authorities fixing the tax rate for any year at a mill rate need include a state-

ment expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property

[Section 1301.1 Additional Levy The council of the borough shall have power to levy and collect annually on the valuation assessed for county purposes as now is or may be provided by law an additional tax sufficient to pay interest and sinking fund charges on its indebtedness together with any taxes convenient to be paid thereon and all property offices professions and persons made taxable by the laws of the Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for this additional levy Provided That nothing! Nothing herein contained shall prevent the application of moneys received from taxes levied for general purposes to the purposes of [this additional levy] paying interest and sinking fund charges on indebtedness

Section 1301.1 Additional tax for municipal employees' benefit the council of the borough shall have the power to levy and collect annually on the valuation assessed for general borough purposes as now is or may be provided by law an additional tax not exceeding one-half (½) mill to provide for pensions retirement or the purchase of annuity contracts for municipal employees this tax shall be kept in a separate fund and used only for the purposes herein provided

Section 1302 Special Levy to Pay Debts In addition to the levy provided for in the preceding section when it shall be shown to the court of quarter sessions of the county that [the debts due by any borough exceed the amount which the borough may collect in any one year by taxation or when] the [proper officers] corporate authorities refuse or neglect to levy a sufficient tax to pay the [same] debts due by the borough the court may after ascertaining the amount of such indebtedness of the borough direct a writ of mandamus to the proper officers of such borough to collect by special taxation an amount sufficient to pay the same in one or more annual installments as may be adjudged reasonable by said court during such years as may be required for the payment of the same

Section 1303 Tax Collector to Furnish Address Et Cetera to County Treasurer The tax collector before he assumes the duties of his office shall notify the county treasurer in writing setting forth his name address where taxes are receivable the office hours when he sits to receive taxes and the borough for and in which he collects taxes

Section 1304 Date Tax Duplicate to Issue The corporate authorities of the borough shall [on or before the first day of June of each year] as soon as possible after receipt of the assessment roll from the county issue their duplicate of taxes assessed to the collector of taxes of the borough [with their warrants attached directing and authorizing him to collect the taxes therein assessed and levied]

Section 1305 Preparation of Budget (a) During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided The proposed budget shall be kept on file with the borough secretary and by him be made available for public inspection for a period of ten days

Section 1306 Notice of Proposed Budget Penalty Notice that the proposed budget is available for inspection shall be published by the borough secretary in a newspaper of general circulation in the borough except in boroughs where the estimated budget receipts are less than five thousand dollars where in lieu of such newspaper publication notice may be conspicuously posted during the ten day period in a place readily viewable by the public at the office of the borough secretary and with such further notice as shall be prescribed by council Failure to give the notice herein required shall not invalidate the budget adopted or the tax ordinance Any borough

secretary who shall fail or refuse to give the notice that the proposed budget is available for inspection as herein required shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding one hundred dollars and costs of prosecution

Section 1307 Revision and Completion of Budget After the expiration of the said ten days council shall make such revision in the budget as shall be deemed advisable The budget shall be as comprehensive and exact as the information available will admit In addition to expenditures proposed for the current fiscal year council may include as proposed expenditures a sum sufficient to pay any existing indebtedness and to pay the ordinary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor and may also include a sum to provide in whole or in part for any deferred maintenance depreciation and replacements Within the tax levy and debt limitations council may also include in whole or in part expenditures for capital improvements and purchases Expenditures of a legislative character shall be made authorized or ratified by ordinance Other expenditures allowed by law may be made or ratified by motion in council Such expenditures whether by ordinance or motion shall then be considered as appropriations affecting the budget Any balance of revenues over expenditures may be expended in any subsequent year for any lawful purpose

Section 1308 Adoption of Budget Tax Ordinance Upon completion of the budget containing the estimated receipts and expenditures and its adoption by motion in council it shall be the duty of the council to adopt an ordinance levying the tax for the fiscal year for approval of the burgess or passage over his veto

The fixing or changing of the compensation or bonds of officials may be made by vote of the council or may be embodied in the tax ordinance Any ordinance relating to the fiscal affairs of the borough may include the tax ordinance aforesaid instead of a separate tax ordinance and it may include therein any matters requiring the formalities of an ordinance or deemed informative by council

Copy of the budget together with the tax ordinance shall be filed with the Department of Internal Affairs by the secretary of the borough within fifteen days after the adoption of the tax ordinance

Section 1309 Modification of Budget Supplemental Appropriations and Transfers The council in its reasonable discretion may by motion modify the budget after its final adoption New appropriations supplementary appropriations and transfers from one appropriation to another may be made during the fiscal year either before or after the expenditure is authorized or ratified after the expenditure is made provided it is within the current year's revenues or the money therefor promptly made available through borrowing as allowed by law

Section 1310 Payments from Borough Funds All payments made by the council of any borough from the borough funds shall be made by proper borough orders drawn upon the treasurer no borough order shall be authorized by council or signed by the president or secretary of any council unless there are sufficient funds in the treasury of the borough to pay the same and no orders shall be made payable at any time in the future or draw interest A separate borough order shall be drawn for each account or payment

Section 1311 Uniform Budget and Financial Report Forms The uniform forms for the annual budget the annual auditor's report and the annual financial statement required to be made by the auditor's or the controller shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Boroughs and the Secretary of Internal Affairs or his agent

Such representatives of boroughs shall be appointed by the president of the organization Such representatives shall be chosen from among finance officers or other

officers of boroughs who have knowledge of their fiscal procedures As far as possible they shall be chosen to represent boroughs in the various population groups The president of the organization shall supply to the Department of Internal Affairs the names and addresses of such representatives immediately upon their appointment

Such representatives shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as chairman of the committee

In preparing such uniform forms the committee shall give careful consideration to the fiscal needs and procedures of boroughs of the various population groups producing separate forms if necessary to the end that such forms shall not be inconsistent with the general administrative practices of boroughs of various types and sizes

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this article are prepared in cooperation with such committee In the event that the committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall prepare the forms After their preparation he shall issue such forms and distribute them annually as needed to the proper officers of each borough

Section 42 The said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto Article XIII.I and Sections 1315 1316 1317 1318 1319 1320 1321 1322 1323 and 1324 as follows

Article XIII.I

Contracts

Section 1315 Power to Make Contracts Each borough may make contracts for lawful purposes and for the purposes of carrying into execution the provisions of this act and the laws of the Commonwealth

Section 1316 Regulation of Contracts (a) All contracts or purchases in excess of five hundred dollars except those hereinafter mentioned shall not be made except with and from the lowest responsible bidder after due notice in one newspaper of general circulation published or circulating in the county in which the borough is situated at least three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in case of weekly newspapers shall be published once a week for two successive weeks The first advertisement shall be published not less than ten days prior to the date fixed for the opening of bids

(b) The acceptance of bids shall only be made by public announcement at the meeting at which bids are received or at a subsequent meeting the time and place of which shall be publicly announced when bids are received If for any reason one or both of the above meetings shall not be held the same business may be transacted at any subsequent meeting if at least five days notice thereof shall be published in the newspaper aforesaid

(c) The successful bidder when advertising is required herein shall be required to furnish a bond with suitable reasonable requirements guaranteeing the work to be done with sufficient surety in the amount of fifty per centum of the amount of the liability under the contract within twenty days after the contract has been awarded unless council shall prescribe a shorter period of not less than ten days and upon failure to furnish such bond within such time the previous award shall be void Deliveries accomplishment and guarantees may be required in all cases of expenditures including the exceptions herein

(d) The contracts or purchases made by council involving an expenditure of over five hundred dollars which shall not require advertising or bidding as hereinbefore provided are as follows

(1) Those for maintenance repairs or replacements for water electric light or other public works of the borough provided they do not constitute new additions extensions or enlargements of existing facilities and equipment but a bond may be required by council as in other cases of work done

(2) Those made for improvements repairs and maintenance of any kind made or provided by any borough through its own employees Provided however That this shall not apply to construction materials used in a street improvement

(3) Those where particular types models or pieces of new equipment articles apparatus appliances vehicles or parts thereof are desired by council which are patented and manufactured products

(4) Those involving any policies of insurance or surety company bonds those made for public utility service under tariffs on file with the Pennsylvania Public Utility Commission those made with another political subdivision or a county the Commonwealth of Pennsylvania the Federal Government any agency of the Commonwealth or the Federal Government or any municipal authority including the sale leasing or loan of any supplies or materials by the Commonwealth or the Federal Government or their agencies But the price thereof shall not be in excess of that fixed by the Commonwealth the Federal Government or their agencies

(5) Those involving personal or professional services

Section 1317 Penalty for Personal Interest in Contracts Except as otherwise provided in this act no borough official either elected or appointed who knows or who by the exercise of reasonable diligence could know shall be interested to any appreciable degree either directly or indirectly in any contract for the sale or furnishing of any supplies or materials for the use of the borough or for any work to be done for such borough involving the expenditure by the borough of more than three hundred dollars in any year but this limitation shall not apply to cases where such officer or appointee of the borough is an employee of the person firm or corporation to which the money is to be paid in a capacity with no possible influence on the transaction and in which he cannot be possibly benefited thereby either financially or otherwise But in the case of a councilman or burgess if he knows that he is within the exception just mentioned he shall so inform council and shall refrain from voting on the expenditure or any ordinance relating thereto and shall in no manner participate therein Any official or appointee who shall knowingly violate the provisions of this section shall be subject to surcharge to the extent of the damage shown to be thereby sustained by the borough to ouster from office and shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars

Section 1318 Separate Bids for Plumbing Heating Ventilating and Electrical Work In the preparation for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars the architect engineer or other person preparing such specifications shall prepare separate specifications for the plumbing heating ventilating and electrical work The person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings shall receive separate bids upon each of the said branches of work and award the contract for the same to the lowest responsible bidder for each of said branches

Section 1319 Bonds for the protection of labor and materialmen It shall be the duty of every borough to require any person copartnership association or corporation entering into a contract with such borough for the construction erection installation completion alteration repair of or addition to any public work or improvement of any kind whatsoever where the amount of such contract is in excess of five hundred dollars before commencing work under such contract to execute and deliver

to such borough in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract an additional bond for the use of any and every person copartnership association or corporation interested in a sum not less than fifty per centum and not more than one hundred per centum of the contract price as such borough may prescribe having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not the said material or labor enter into and become component parts of the work or improvement contemplated. Such additional bond shall be deposited with and held by the borough for the use of any party interested therein. Every such additional bond shall provide that every person copartnership association or corporation who whether as sub-contractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the borough for his their or its use and prosecute the same to final judgment for such sum or sums as may be justly due him them or it and have execution thereof. Provided however That the borough shall not be liable for the payment of any costs or expense of any suit.

Section 1320 Minimum wage specifications in contracts. The specifications upon which contracts are entered into by any borough for the construction alteration or repair of any public work or improvement may at the option of the borough council contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed on such public work or improvement and such laborers and mechanics shall in such cases be paid not less than such minimum wage or wages.

Every contract for the construction alteration or repair of any public work or improvement founded on specifications containing any such stipulation for minimum wage or wages shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications.

Every officer or person designated as an inspector of or having supervision over the work to be performed under any such contract in order to aid in enforcing the fulfillment thereof shall upon observation or investigation report to the borough council or agency which let the contract all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid a wage less than that prescribed by the specifications and the day or days of such violation.

All such penalties shall be withheld and deducted for the use of the borough from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications was by the contractor or by any of his subcontractors. Provided That if any such contractor or subcontractor subsequently pays to all laborers and mechanics the balance of the amounts stipulated in such contract the borough shall pay to the contractor the amounts so withheld as penalties.

Section 1321 Discrimination between employees. Every contract for or on behalf of any borough for the construction alteration or repair of any public building or public work shall contain provisions by which the contractor agrees

(a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder no contractor subcontractor nor any person acting on behalf of such contractor or subcontractor shall by reason of race creed or color discriminate against any citizen

of the Commonwealth of Pennsylvania who is qualified and available to perform the work to which the employment relates.

(b) That no contractor subcontractor nor any person on his behalf shall in any manner discriminate against or intimidate any employee hired for the performance of work under his contract on account of race creed or color.

(c) That there may be deducted from the amount payable to the contractor under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provision of the contract and

(d) That this contract may be cancelled or terminated by the borough and all money due or to become due hereunder may be forfeited for a second or any subsequent violation of the terms or conditions of this portion of the contract.

Section 1322 Publication of contract notices in trade journals. Any borough whose duty it is by law to advertise for bids for public works contracts supplies or equipment may at its discretion legally authorize the publication of such advertising in addition to the newspapers specified by law also in any publication or journal to the dissemination of information about construction work published at least once a week and circulating among contractors manufacturers and dealers doing business in the community in which such public works are to be constructed or supplies or equipment purchased. No such advertisement for bids shall be inserted in any such publication or journal devoted to the dissemination of information about construction work which has not been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen months. Such publication and journal shall be entered or entitled to be entered for admission to the United States mails as second class matter and shall have a bona fide income from subscribers within the Commonwealth of Pennsylvania of not less than Fifteen Thousand Dollars per annum duly certified by a public accountant. The rates and charges for such advertising shall not be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act.

Section 1323 Acceptance by contractor of workmens compensation act. All contracts executed by any borough or any officer thereof which involve the construction or doing of any work involving the employment of labor shall contain a provision that the contractor shall accept insofar as the work covered by any such contract is concerned the provisions of the Workmen's Compensation Act of 1915 and the supplements and amendments thereto and that the said contractor will insure his liability thereunder or file with the borough with whom the contract is made a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry.

Every officer of any borough who shall sign on behalf of the borough any contract requiring in its performance the employment of labor shall require before the said contract shall be signed proof that the said contractor with whom the contract is made shall have accepted the Workmen's Compensation Act of 1915 and any supplements or amendments thereto and proof that the said contractor has insured his liability thereunder in accordance with the terms of said act or that the said contractor has had issued to him a certificate of exemption from insurance from the Bureau of Workmen's Compensation of the Department of Labor and Industry.

Any contract executed in violation of this section shall be null and void.

Section 1324 Architects and engineers employed prohibited from bidding on public works penalty. It is unlawful for any architect or engineer in the employ of any borough and engaged in the preparation of plans specifications or estimates to bid on any public work at any letting of such work in this Commonwealth.

It is unlawful for the officers of any borough charged with the duty of letting any public work to award a contract to any such architect or engineer in the employ of the Commonwealth or of any county city borough township or other political subdivision of the Commonwealth.

It is unlawful for any architect or engineer in the employ of the Commonwealth or of any county city borough township or other political subdivision of the Commonwealth to be in anywise interested in any contract for public work for the borough or receive any remuneration or gratuity from any person interested in such contract.

Any person violating any of the provisions of this section shall forfeit his office and shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo imprisonment for not more than six months or both.

Section 43 Sections 1401 to 1452 of Article XIV of said act are hereby reenacted revised and amended to read as follows

Article XIV

Eminent Domain Assessment of Damages and Benefits

(a) General Provisions Relating to Eminent Domain

Section 1401 Exercise of Eminent Domain In the laying out opening widening extending vacating grading or changing the grades or lines of streets [lanes or alleys] the construction of bridges and the piers and abutments therefor the construction of slopes embankments and sewers the erection and extension of waterworks wharves and docks public buildings public works filtration plants sewage systems sewage treatment works garbage disposal plants gas plants electric light plants and libraries the establishing of parks [and] playgrounds and recreation places the changing of watercourses and for all other purposes authorized by this act a borough may enter upon appropriate injure or destroy private lands property or material.

Section 1402 Restrictions as to Certain Property In addition to the restrictions made by other provisions of this act in particular cases no borough shall exercise the right of eminent domain as against land now occupied by any building which was used during the Colonial or Revolutionary period as a place of Assembly by the Council of the Colony of Pennsylvania the Supreme Executive Council of the Commonwealth of Pennsylvania or the Congress of the United States or as against the land occupied by any fort redoubt or blockhouse erected during the Colonial or Revolutionary period or any building used as headquarters by the Commander-in-Chief of the Continental Army or as against the site of any building fort redoubt blockhouse or headquarters which are reserved for their historic associations and not for private profit. The Colonial and Revolutionary period shall be taken as ended on the third day of September one thousand seven hundred and eighty-three.

Section 1403 Possession of Property Upon Tender of Bond Whenever in any condemnation proceedings any borough has tendered a bond to secure the payment of damages and the same has been accepted or if the acceptance has been refused and the bond has been filed in and approved by the court the borough shall have the right to immediate possession of the property.

Section 1404 Notice to quit possession procedure If the owner lessee or occupier shall refuse to remove his personal property or give up possession the borough may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice.

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give the borough possession.

Section 1405 Bond of borough without surety sufficient Whenever the borough shall tender any bond or any court shall order any borough to enter security for

the payment of damages for the taking injury or destruction of land property or materials by right of eminent domain the bond of the borough shall be taken without sureties.

Section 1406 Value of land or property not to be assessed as benefits exception In all cases of the appropriation of land or property for public use other than for [roads or] streets it shall not be lawful to assess any portion of the damage done to or value of the land or property so appropriated against the other property adjoining or in the vicinity of the land or property so appropriated.

Section 1407 Viewers' report Viewers or juries of view appointed by any court to assess damages and benefits due to the taking injury or destruction of private land or property in and by the construction or enlargement of any public work [highway] street or improvement shall make their reports within a time which the court shall fix when appointing them but if any of the viewers or juries of view shall for any reason appearing sufficient to the court be unable to file its report within the period so fixed the court may either before or after the expiration of the time fixed extend the time for the filing of such report.

Section 1408 Plans of lands and properties condemned to be furnished to viewers In all proceedings to assess damages for the taking injury or destruction of private land or property for public use the borough taking injuring or destroying such land or property for said purpose shall furnish the board of viewers with a correct plan of all lands and properties affected showing all buildings or other structures thereon their width length elevation and cubical contents names of all owners tenants or occupiers thereof the topography of the land and the grades and widths of all [highways] streets running through or abutting on said lands or properties and all other data necessary for a proper determination of the amount of damages caused by the taking injury or destruction of said private land and property.

Said plans shall be prepared and ready for the use of the viewers at their first meeting and copies thereof shall be furnished to all owners tenants and occupiers of the land and property and all other parties affected thereby without charge.

Section 1409 Condemnation Petition to Specify Liens Exception In all proceedings instituted for the condemnation and appropriation of land and property by the exercise of the right of eminent domain excepting proceedings to ascertain damages and benefits by reason of borough street or sewer improvements the petition for the appointment of viewers therein shall contain allegations specifying any judgment mortgages or other claims (hereinafter designated "liens") which are liens upon the land and property sought to be appropriated or condemned as aforesaid.

Section 1410 Findings of Facts as to Liens Testimony shall be taken in said proceedings to ascertain the amounts of said liens and the dates of the entry of the same and the amounts of said liens and the dates of entry thereof shall be found as facts by the viewers in said proceedings. Certified lists of liens from the Department of Revenue the courts of the Commonwealth and of the United States shall be prima facie evidence of the existence dates amounts dates of entry and places of record of said liens and unless modified or overcome by competent oral or documentary evidence shall be conclusive upon the parties thereto as to items just specified.

Section 1411 Reports of Viewers as to Liens Appeals Distribution to Lien Creditors Discharge of Liens Where it appears that liens exist as aforesaid which are liens upon land or property sought to be condemned and appropriated as aforesaid a report of the facts found as aforesaid shall be made to the court having jurisdiction of the proceeding which report shall be subject to exceptions in manner to be regulated by the Supreme Court by general rule prescribed amended and published from

time to time and upon the findings in relation to said liens being finally found by said court having jurisdiction of said proceedings said court shall make an order directing the payment and distribution of the amount found to be payable as compensation to the parties entitled thereto first to the owners of said liens in the order of their priority then to the owners of the land or property appropriated as aforesaid [Provided however That] Any of the parties interested shall have the right of appeal from said order of distribution to the Superior and Supreme Courts of the Commonwealth as shall be determined by the amount distributed to said parties respectively in manner now provided by law Payment in accordance with said order of distribution shall absolutely discharge the party making said payment from all claims of whatsoever nature by any [person firm corporation or] claimant as against said land property when the payment thereof shall be evidenced by a receipt of record in said proceedings and in said receipt and on the record thereof any claimant may reserve the right to pursue the owner of said land or property for any balance due upon his lien against any other land or property or assets of the said owner

Section 1412 Vesting Title Upon payment of the compensation for land or property appropriated as aforesaid in accordance with said order of distribution title to the land or property appropriated shall vest in the [taker thereof] borough in accordance with provisions of the law under which such appropriation is made and all claims for compensation shall be deemed paid and satisfied as herein provided

Section 1413 Competency of Evidence as to Market Value of Land or Property In all proceedings arising from the exercise of the right of eminent domain it shall be competent for all witnesses called when duly qualified to state their opinion as to the market value of the land or property before the exercise of the right of eminent domain and as unaffected by it and its market value immediately after the exercise of the right of eminent domain and as affected thereby

(a) To state in detail and [costs] amounts all the elements of benefit or damage which they have taken into consideration in arriving at their opinion

(b) In arriving at their opinion as to the market value immediately after the exercise of the right of eminent domain to add to their opinion of the market value before such exercise the cost or value of all the elements of benefit or advantage and to deduct therefrom all disadvantage or damage in order to arrive at the market value after such exercise of the right of eminent domain and as affected thereby

(c) In all proceedings to assess damages or benefits for the opening of any street [alley or other highway] to take into consideration as one of the elements of advantage or disadvantage the cost of street improvements

In all claims for damages against a borough arising from the exercise of the right of eminent domain it shall be competent for the party or parties claiming damages to offer in evidence as a declaration against interest the value of land or property affected as assessed for the purpose of taxation

Section 1414 Proceedings Where Assessments by Viewers Waived In any proceeding to ascertain the damage caused to any owner of lands or properties by reason of the appropriation of a right of way or easement by any borough where the owner and borough cannot agree upon the amount of damage done the parties may by agreement waive the right to have such damages assessed and the owner may file his claim in the court of common pleas of the county and rule the [defendant] borough to plead thereto within fifteen days from the service of such rule upon [the borough] it and the suit shall be proceeded with as if an award of viewers had been filed and an appeal had been taken therefrom

Either party to such an action may on motion have the

jury visit and view the premises over or through which the proposed right of way or easement may extend

Section 1415 Appeals in Eminent Domain Proceedings Payment of Money into Court In all cases of damages assessed against any borough for land or property taken injured or destroyed by the construction or enlargement of their works [highways] streets or improvements whether such assessment shall have been made by viewers or otherwise than upon trial in court [and an appeal is not provided for] an appeal may be taken by either party to the court of common pleas of the county within thirty days from the filing of the report

Any such appeal taken shall be signed by the party taking the same or by his agent or attorney and shall be accompanied by an affidavit of [the] such party [appellant] or of [the] his agent or attorney that the same is not for the purpose of delay but because the affiant firmly believes that injustice has been done

When no such appeal is taken and judgment is entered and the party to whom damages have been awarded refuses to accept payment of such award or judgment then it shall be lawful for [such] the borough upon petition to the court after notice as ordered by court to pay the amount of the award and costs into the court The court upon such payment shall order the satisfaction of the award or judgment

Section 1416 Title Acquired In all cases where land or property is taken under eminent domain proceedings other than for [highway] street purposes or is acquired by gift purchase or otherwise the title obtained by the borough shall be in fee simple provided that in particular instances a different title may by agreement be acquired

Section 1417 Land Transferable If the project or purchase for which any land or property has been taken received or acquired shall be abandoned or found not to be desirable for the best interest of the borough the land or property thus obtained may be used for other [municipal] borough purposes or sold leased or otherwise disposed of

(b) Procedure for the Exercise of Eminent Domain and for the Assessment of Damages and Benefits by Viewers

Section 1420 Petition for Viewers Time of Meeting Except as [is in this act] otherwise provided in this act in case the compensation for damages or benefits accruing from the exercise of the right of eminent domain [and] or from the erection and construction of public improvements [have] has not been agreed upon [any] the court of common pleas or any law judge thereof in vacation or application thereto by petition by the borough or any person interested shall appoint three viewers from the board of viewers of the county and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet [upon the line] at the place of the improvement and view the same and the premises affected thereby

Section 1421 When Viewers May be Appointed The viewers provided for in the preceding section may be appointed before or after the entry appropriation or injury of any land or property or appropriation of any material for constructing such improvements

Section 1422 Notice of Meeting of Viewers Except [when] as otherwise [in this act] provided in this act the viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more news papers of the county and by handbills posted upon the premises or otherwise as the court shall direct [When the publication is in more than one newspaper one of the newspapers may be in the German language]

Section 1423 Swearing viewers hearings schedules damages and benefits The viewers having been sworn or affirmed faithfully justly and impartially to decide on a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire and having viewed the premises and examined the land or property shall hear all parties in

interested and their witnesses and shall determine the damages for land or property taken injured or destroyed if any and to whom the same [is] are payable and having determined the damages together with the benefits they shall prepare a schedule thereof

Section 1424 Assessment of damages and benefits The damages may be paid in whole or in part by the borough or may be assessed in whole or in part upon the land or property benefited In the latter case the viewers having first determined the damages apart from the benefits shall assess the total cost of the improvement or so much thereof as may be just and reasonable upon the lands or properties peculiarly benefited including in the assessment all parties for which damages have been allowed and shall report the same to the court The total assessments for benefits shall not exceed the total damages awarded or agreed upon

Section 1425 Assessment awards In proceedings to assess damages and benefits if the land or property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the [several owners] owner of land or property affected thereby

Section 1426 Separate reports of damages and benefits The [preceding section shall not prevent the] viewers [from making] shall make a separate report of the damages and benefits respectively [In such event if] If the damages to the land or property of any person be greater than the benefits or if the benefits be greater than the damages or if the damages and benefits be equal in either case the viewers shall strike a balance and carry the difference forward to another column so that the assessment shall show what amount is to be received or paid by the land or property owner and the difference only shall be collectible of or paid to such land or property owner Appeals taken from the report of the board of viewers shall be from such net amount only

Section 1427 Notice When Schedules Will Be Exhibited The viewers shall give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of place where the viewers will meet and exhibit their schedule and hear all exceptions thereto

Section 1428 Service of Notices [Such] The notice required by the preceding section shall be given in the manner provided by law for the service of a summons in a personal action if the parties can be found in the [borough] county in which such borough is located or upon an adult person residing upon the land or property affected by the assessment in case the owner or reputed owner cannot be found in said county and to all others by publication in the newspaper or newspapers in which the first notices of the view were published and by posting conspicuously on the premises Council may by ordinance provide by whom the notice shall be served and posted and fix the compensation for such service

Section 1429 Report of Viewers Plan of Improvements After making whatever changes are necessary the viewers or a majority thereof shall report to the court showing the damages and benefits allowed and assessed in each case and file therewith a plan to be prepared or secured by the viewers showing the improvement the lands or properties taken injured or destroyed and the lands or properties benefited

Section 1430 Notice of Filing of Report When the report is filed notice thereof shall immediately be given by publication once in the newspaper or newspapers publishing the notice provided for in section fourteen hundred and twenty-two of this article Such notice shall state the date of filing of the report contain a schedule of the damages allowed and benefits assessed and shall state that unless exceptions [be] are filed thereto or an appeal to the court of common pleas is taken therefrom within thirty days from the date of filing the report will be confirmed absolutely

Section 1431 Borough to Pay Costs of Proceedings The cost of the proceedings including court costs except the compensation of the viewers shall be paid by the borough

Section 1432 Bond of Borough Except when [in this act] otherwise provided in this act in all cases where the parties have not agreed upon the damages claimed or where by reason of the absence or legal incapacity of the owner no such agreement can be made the borough may tender sufficient security to the party entitled to damages or to the attorney or agent of any person absent or to the agent or officer of a corporation or to the guardian or committee of anyone under legal incapacity

Section 1433 Condition of Bond Notice of Filing in Court The condition of the security shall be that the borough shall pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided for by this article In case the party claiming damages [refuse] refuses to accept the security tendered the borough shall give the party or his agent attorney guardian or committee a written notice of the time when the same will be presented in court

Section 1434 Filing Bond Recovery Thereon If approved by the court the security shall be filed for the benefit of those interested and recovery may be had thereon for the amount of damages assessed If the damages [be] are not paid they may be collected by execution on the judgment in the issue framed to try the question Upon the approval of the security the borough may proceed with the improvement

Section 1435 Exceptions to Report of Viewers Within thirty days after the filing of any report any party interested may file exceptions to the same and the court shall confirm modify or change the same or change the assessments made therein or refer it back to the same or new viewers

Section 1436 Confirmation of Report of Viewers When the report is filed the prothonotary shall mark it confirmed nisi In case no exceptions are filed thereto or no appeal taken therefrom he shall enter a decree that the report is confirmed absolutely

Section 1437 Effect of Exceptions on Confirmation of Report When exceptions are filed which affect the entire report the same shall not be confirmed absolutely as to any part thereof until the exceptions have been finally disposed of when the exceptions do not affect the entire report the court shall confirm the assessments to which exceptions have not been taken

Section 1438 Appeals From Confirmations After Exceptions Within three months after the confirmation of any report following the filing of exceptions thereto any party interested may appeal from the decree of the court below to the Superior or Supreme Court as the case may be

Section 1439 Effect of appeals When any appeal is taken from the action of the court of common pleas confirming any viewers' report or part thereof if the appeal affects the entire report it shall have the effect of suspending the absolute confirmation thereof until the appeal is to matters which do not affect the entire report or any other assessment such appeal shall affect only the particular assessment for which the appeal is taken

Section 1440 Filing assignments of error et cetera In order to determine whether any appeal affects the entire report or any particular assessment the appellant shall file in the court below before or at the time of filing his writ of certiorari a copy of his [specifications or] assignments of error or statement of the grounds of appeal Upon failure so to do the borough or any party interested may be notice or rule upon the appellant cause such [specifications] assignments of error or statement of the grounds of appeal to be filed

Section 1441 Certificate of judge of the court below Upon the request of the borough or any party interested

the court below or any judge thereof in vacation shall certify whether the appeal affects the entire report and said certificate shall be conclusive Where the court or judge certifies that the appeal will affect the entire report no further proceedings shall be taken in the court below until after the final action of the appellate court but where the court or judge certifies that the appeal will affect only a particular assessment then the confirmation of all other assessments shall be final

Section 1442 Effect of affirmation of decree of court below If on any appeal the action of the court below is affirmed the date of the decree or judgment of the appellate court shall be taken as the day on which the report was finally confirmed

Section 1443 Consolidation of appeals Where any appeal is taken to the Supreme Court and an appeal is also taken to the Superior Court and the appeals in both cases are substantially the same the Superior Court may certify such appeal to the Supreme Court to be heard with the other appeals from the same report

The Supreme Court shall consolidate all such appeals and hear them as one case Where several appeals are taken from the confirmation of the same report either to the Superior or Supreme Court and the grounds of appeal are similar the appellate court may consolidate the appeals

Section 1444 Appellants may unite in appeals effect thereof Several parties may unite in a single appeal either to the Superior or Supreme Court where the grounds of appeal are similar but the uniting of the appellants shall not unite the amounts or change the jurisdiction When the appeal is taken by each appellant singly would be to the Superior Court then the appeal shall be to that court but if the appeal of any one appellant would be to the Supreme Court then the joint appeal shall be to that court If an appeal has been taken to the Supreme Court any other party without regard to the amount involved if the grounds of appeal are similar may appeal to the same court and join in such appeal

Section 1445 Appeals from reports of viewers for jury trial within thirty days after any report of viewers is filed in court of common pleas any party whose land or property is taken injured or destroyed or [who is assessed benefits to pay for property taken injured or destroyed] against whom benefits are assessed may appeal to the court of common pleas and demand a trial by jury Several parties may unite in a single appeal and where the grounds of appeal are similar the court may hear such appeals as one proceeding but each party shall in any event be entitled to demand a separate trial by jury Where an appeal is so taken as a portion of the report the portion not appeal as provided in the last preceding section shall state the grounds days after the report is filed in court

Section 1446 Reasons for appeals to be stated The appealed from shall be confirmed absolutely at the expiration of thirty days upon which it is taken and shall be signed by the appellant or by his agent or attorney and shall be accompanied by an affidavit that it is not taken for the purpose of delay but because the appellant believes that injustice has been done

Section 1447 Costs Upon the trial of any such appeal in case the party appellant does not obtain a verdict more favorable than was the report of the viewers [as finally confirmed] the appellant shall not recover any costs

Section 1448 Notices appeals from the court below The court of common pleas shall order what notices shall be given in connection with such proceedings and may by rule or otherwise prescribe the form of pleadings After verdict and final judgment either party may within three months appeal to the Superior or Supreme Court

Section 1449 Appeals to the wrong court Should any appeal [under this article] to the Supreme or Superior Court be made to the wrong court such court shall certify

the appeal to the court to which it should have been taken

Section 1450 Appeals not to prevent filing liens No appeal [taken under this article] to any court shall prevent the filing of liens by any borough for any assessment made by any such report but upon the final termination of the issue the court shall make such order as to the lien filed as shall appear right and proper

Section 1451 Discontinuance of proceedings If any borough shall repeal any ordinance or discontinue any proceeding providing for any of the improvements mentioned in this article prior to the entry upon taking or injury to any land or property or appropriation of materials the borough shall not be liable to pay any damages which have been assessed but all cost upon any such proceeding shall be paid by the borough together with any actual damage sustained by reason of such proceeding

Section 1452 Assessments to bear interest All assessments for benefits costs and expenses shall bear interest at six per centum per annum from the expiration of thirty days after they shall have been finally ascertained and shall be payable to the treasurer of the borough

Section 44 Said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto section 1453 to read as follows

Section 1453 Damages to bear interest The amount of damages allowed in a report of viewers for the taking injury or destruction of property by the exercise of the right of eminent domain shall as finally confirmed bear interest at the rate of six per centum per annum from the date of filing of the report

Section 45 Sections 1501 to 1505 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XV

Damages For Injury To Property

Section 1501 Right to damage given in certain case The right to damages against boroughs is given to all owners or tenants of lands property or material abutting on or through which pass [roads] streets [lanes or alleys] injured by the laying out opening widening vacating extending or grading of such [roads] streets [lanes or alleys] or the changing of the grades or lines thereof the construction and the vacation of bridges and piers abutments and approaches therefor and the construction of sewers over upon or through such lands or property

Section 1502 Juries of view to assess damages and benefits All juries of view for assessing damages or benefits for taking using occupying or injuring land property or material are directed to assess the damages provided for in the preceding section against boroughs and the benefits in connection therewith and make a report thereof to the court

Section 1503 Appeals from viewers' reports The right of appeal to the court of common pleas the right of trial by jury and the right to file exceptions are given to any party not satisfied with such report

Section 1504 Appeals from court below After disposal of exceptions or after verdict and final judgment any interested party may appeal to the Superior or Supreme Court as in other cases

Section 1505 Damages for Vacations Whenever viewer are appointed to vacate any [road streets or highways] street and the vacation of the same takes no land from the owner abutting thereon if in the opinion of the viewers such vacation damages the property of the abutting owners they may award damages to such owner although land has been actually taken and such damage shall be ascertained as provided in article fourteen (b) of this act

Section 46 Sections 1601 to 1627 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XVI

[Locating] Laying out Opening Widening
Extending Straightening and Vacating Streets
(a) Surveying Laying out Opening Widening
Straightening Extending and Vacating
Streets Et Cetera Without Petition

Section 1601 Proceedings Without Petition of Property Owners Boroughs may survey lay out open widen straighten extend or vacate streets [lanes alleys and courts] or parts thereof without petition of property owners

Section 1602 Notice of Improvement Ten days' notice of the contemplated improvement shall be given by [the borough by not less than ten] handbills posted on the line of the proposed improvement and in such notice shall be designated a time and place where objections thereto shall be heard

Section 1603 Ordinances Any ordinance authorizing the exercise of any power conferred by section sixteen hundred and one of this article shall be adopted by the affirmative vote of [three-fourths] at least two-thirds of the whole number of councilmen and shall be approved by the burgess No such ordinance shall be finally adopted until the expiration of twenty-eight days from the date of its introduction and in the meantime copies thereof shall be published in one or more of the newspapers of the borough once a week for three consecutive weeks immediately following the introduction thereof In case no newspaper shall be published in the borough then publication shall be in one newspaper [published in the county] circulating in the borough

Section 1604 Erection of Improvements No owner or occupier of lands buildings or other improvements shall erect any buildings or make any improvements within the lines of the [roads] streets [lanes alleys or courts] laid out widened or straightened or proposed to be laid out widened or straightened after notice thereof If any such erection or improvement shall be made no allowance shall be had therefor in the assessment of damages

Section 1605 Procedure to Assess Damages and Benefits If the borough or any person interested desires to have viewers appointed to ascertain damages or benefits they shall be appointed damages awarded and benefits assessed as provided in article fourteen in the case of property taken injured or destroyed Any costs and expenses which cannot be assessed upon property benefited shall be paid by the borough

Section 1606 Grade Damages to Be Included In all case of assessment of damages for the opening or widening of any street [or highway] in any borough the award of damages if any shall include all damages due to the grade at which said street [or highway] is to be opened or widened and the plan attached to the report of the viewers awarding the damages shall have therein a profile plan showing the existing grade as well as the grade to which said street [or highway] is to be opened and widened

Section 1607 Streets Declared Public Highways Any street [lane or alley] so opened or opened by the borough by agreement of parties is a public [highway] street

(b) Opening Widening Straightening Extending and Vacating Streets Et Cetera on Petition to [the] Council

Section 1610 Proceedings on Petition of Property Owners Boroughs may upon petition open widen straighten and extend [roads] streets [and alleys] or [parts] portions thereof and may upon petition vacate [roads] streets [and alleys] or portions thereof (other than State [and State-aid] highways) whether laid out by the borough or by proceedings in the courts of quarter sessions or otherwise

Section 1611 Signing Petition The petition shall be signed by a majority in number and interest of the owners of property abutting on the line of the proposed improvement as fixed at the time of its presentation and shall be verified by the affidavit of one or more of the petitioners

Petitions for the vacation of [roads] streets [and alleys] or portions thereof may release the borough from all damages due to such vacation if the petition is signed by the owners of all the property abutting on the [road] street [or alley] or portion thereof to be vacated The majority in interest of owners of undivided interests in any piece of property shall be deemed as one person for the purposes of the petition

Section 1612 Notice of Ordinance and Petition Appeal Upon the approval of any ordinance passed pursuant to said petition notice shall within ten days be given by handbills posted [in conspicuous places] along the line of the proposed improvement The notice shall state the fact of the passage of the ordinance and the date thereof that the petition for the improvement was signed by a majority in interest and number of the owners of property abutting the line of proposed improvement or in the case of a vacation proceeding where there is a release of damages that it was signed by the owners of all the property abutting the [road] street [or alley] or portion thereof to be vacated and that any person interested denying the fact such petition was so signed may appeal to the court of common pleas of the county within thirty days after the passage thereof

Section 1613 Appeal From Ordinance Any person interested may within thirty days from the passage of the ordinance present a petition to the court of common pleas of the county whereupon the court shall determine whether such improvement was petitioned for by the requisite majority or where the proceeding is for the vacation of a [road] street [or alley] or portion thereof and the petition contains a release of damages whether such petition was signed by the owners of all the property abutting on the [road] street [or alley] or portion thereof to be vacated If said court shall find that it was not so petitioned for it shall quash the ordinance otherwise it shall approve the same

Section 1614 Effect of Failure to Appeal If no appeal [shall be] taken or if the court on appeal shall approve the ordinance the borough may proceed with the improvement Thereafter all parties interested shall be estopped from denying the fact that the petition was signed by the requisite number of the property owners as required by section sixteen hundred and eleven of this article

Section 1615 Assessment of Damages and Benefits Viewers shall be appointed damages awarded and benefits assessed as provided in article fourteen of this act in the case of property taken injured or destroyed Provided That in proceedings to vacate a [road] street [or alley] where the owners of all the property abutting upon such vacated [road] street [or alley] or portion thereof vacated shall petition council for such vacation and release the borough from all damages no such proceedings shall be had In all cases of the assessment of damages for the opening or widening of any street [or highway] the award of damages if any shall include all damages due to the grade at which said street [or highway] is to be opened or widened and the plan attached to the report of the viewers awarding the damages shall have therein a profile plan showing the existing grade as well as the grade to which said street [or highway] is to be opened and widened Any costs and expenses which cannot be assessed upon property benefited shall be paid by the borough

(c) Opening Widening and Straightening Roads Partly Within a Borough

Section 1620 Proceedings Where [Roads] Streets Partly in Borough [In opening widening and straightening roads straightening roads partly within a borough like proceedings shall be had as for the laying out and opening of public roads under the general road laws of the Commonwealth] All streets partly within a borough where one of the termini of such streets is without the borough shall be laid out widened changed or vacated only by

the court of quarter sessions in the manner provided by the general road law and the amendments additions and supplements thereto

Section 1621 [Juries of View to Have Reference to Town Plot Every jury appointed to view lay out widen or vacate any road or part of a road in any borough so laid out shall have reference to the town plot and to the general arrangement convenience and advantage of the borough and shall set forth the facts fully in their report] Consent of borough council required No such street shall be opened changed widened altered or vacated unless and until the council of the borough shall have passed a resolution consenting thereto and shall have filed a certified copy thereof with the clerk of the court of quarter sessions

Section 1622 [Payment of Damages All damages assessed beyond the value of the land appropriated to public use shall be paid by the borough and the jury shall separately assess the same] Damages and benefits All damages and benefits occasioned by any proceeding under section 1620 of this act shall be assessed collected and paid in the manner provided by the general road law but the damages not assessed as benefits shall as to the part of the street in the borough be paid by the borough

Section 1623 Petitions for Assessment of Damages Petitions for the assessment of damages for the opening or widening of any such road [or highway] when the damages are not assessed by the view opening the road may be filed in the court of quarter sessions within the period of six years from the confirmation of any report or the entry of any decree opening such road [or highway] All claims shall be barred after the expiration of the period of six years

Section 1624 Improvements Erected Within Lines Laid Out No owner or occupier of lands buildings or improvements shall erect any building or make any improvements within the lines of [the] such roads laid out widened or straightened or proposed to be laid out widened or straightened after notice thereof and if any such erection or improvement shall be made no allowance shall be had therefor in the assessment of damages

Section 1625 Alteration of Roads by Agreement Whenever the authorities of any borough deem it advisable to construct or change [any] that part of any public road partly within the borough which is under their supervision and can agree with the property owners affected as to the damages upon the payment of the damages agreed upon the borough may change or alter such public road without the formality of a view

Section 1626 Petitions for Change of Road Before any change is made in any such road a petition setting forth the facts accompanied by a map shall be presented to the court of quarter sessions and if approved by the court the new location shall be taken to be the public road and the old location shall be deemed vacated

Section 1627 Limitation of Cost of Change The authority conferred in section one thousand six hundred and twenty-five of this article shall not extend to any change the costs and expenses of which to the borough including damages shall exceed [three] five hundred dollars

(d) Time Within Which Streets are to Be Opened

Section 1630 When Roads To Be Opened Whenever any borough shall pass an ordinance authorizing the laying out or surveying of any [road] street [lane alley or court] over any private property the proceedings to open the same and to assess the damages arising therefrom shall be had not later than two years from the passage thereof

If no such proceedings shall have been had concerning any street within such two-year period the owner of any lands over which such street or any part thereof shall have been or shall be thereafter again laid out may at any time proceed to have the damages assessed [therefor] in the manner provided by article fourteen of this act with the same effect as though the street had been actually opened on the date of the institution of such proceeding

Section 1631 When Roads Not to be Opened Whenever any street [lane or alley] shall be laid out by any person and has not been opened to or used by the public for twenty-one years such streets [lanes or alleys] shall not thereafter be opened without the consent of the owners of the land on which the same has been so laid out

Section 47 Subdivision (e) of Article XVI and Sections 1640 and 1641 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 48 Subdivisions (f) and (g) of Article XVI are relettered to become subdivisions (e) and (f) and sections 1650 to 1669 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

[(f)] (e) Vacation of [Lanes and Alleys] Streets Declared Nuisances [by Board of Health]

Section 1650 Petitions to Vacate Nuisances Whenever the [board of health] council of the borough shall declare as a nuisance any [public alley lane] street or passageway any two or more owners of property adjacent or abutting upon the same may present their petition verified by oath or affirmation to the court of quarter sessions setting forth the facts regarding such nuisance and praying that said [alley lane] street or passageway may be vacated Such petition shall be accompanied by a certificate [of the board of health] of the borough secretary setting forth that [they have] the council has declared such [alley lane] street or passageway to be a public nuisance

Section 1651 Jury of View The court shall thereupon appoint a jury of view [of three men of the county] The jury being sworn or affirmed to faithfully perform its duties shall give notice to all parties likely to be affected by the proceedings of the time and place of the first meeting in such manner as the court shall direct

Section 1652 Hearings and Report After the first meeting the jury shall proceed to view the premises hear all parties interested and their witnesses and shall prepare a report of finding and recommendations as to whether or not such [alley lane] street or passageway or part thereof should be vacated and in such report shall award damages and assess benefits to the property affected

Section 1653 Notice of Filing Report The jury shall give notice in writing to all parties affected by their report at least ten days before the same is filed in court The notice shall state the time and place where such report will be open to inspection

Section 1654 Exceptions to Report Any person aggrieved by such report may file exceptions thereto with the jury whereupon the jury shall reconsider their report with the exceptions and change the same as [justice] justice may require The report as finally prepared shall be filed in court

Section 1655 Appeals from Report Any person affected by the report shall have an appeal to the court of common pleas within thirty days after the report is filed and the procedure on such appeal shall be the same as in actions of trespass

Section 1656 Confirmation of Report At the end of the period allowed for an appeal the report shall be absolutely confirmed by the court as to such awards or assessments from which no appeals have been taken

Section 1657 When Vacation Proceedings Not To Be Had No [alley lane] street or passageway shall be vacated in any case where the vacating deprives any lot abutting thereon of the sole means of ingress or egress otherwise than to or from the front line thereof nor where it was created by grant or contract and not theretofore accepted by the public

[(g)] (f) Plans and Location of Streets

Section 1660 General Plan of Streets Every borough shall have a general plan of its streets [and alleys] including those which have been laid out but not opened

Section 1661 Filing Plans Subdivisions The plan shall be filed in the office of the engineer or other proper office of the borough and all subdivisions of property thereafter made shall conform thereto

Section 1662 Alterations Maps and Plots to be Approved The location of streets [or alleys] laid out by council shall not afterwards be altered without the consent of council and no map or plot of streets [or alleys] shall be entered in any public office of the county until approved by council

Section 1663 Location of Streets Boroughs may by ordinance locate streets [and alleys] and include therein streets [and alleys] theretofore opened or used for highway purposes and may locate streets [or alleys] theretofore opened or used for highway purposes of a greater width and may revise the lines of such streets [or alleys] in accordance therewith and place the same on the general plan of such borough All subdivisions of property thereafter made shall conform thereto

Section 1664 Locations Not to Authorize Entry No such location shall authorize the entry upon or appropriation of any property within such located street [or alley] not theretofore opened or used for highway purposes nor shall the same interfere in any way with the rights of the owners to the full use of such property

Section 1665 No Damages Allowed for Erections Upon Located Streets No person shall recover any damages for the taking for public use of any buildings or improvements constructed within the lines of any located street [or alley] after the same shall have been so located and any such building or improvement shall be removed at the expense of the owner

Section 1666 Streets Not To Be Opened Etc Without Approval of Council No person shall construct open or dedicate any [road] street [lane or alley] or any drainage facilities in connection therewith for public use or travel in any borough without first submitting suitable plans thereof to the [borough] council for its approval Such plans shall be prepared in accordance with such rules and regulations as may be prescribed by the [borough] council and shall show the profiles of such [roads] streets [lanes or alleys] the course structure and capacity of any drainage facilities and the method of drainage of the adjacent or contiguous territory and also any other or further details that may be required under the rules or regulations adopted by the [borough] council Before acting upon any such plans the council may at its discretion arrange for a public hearing after giving such notice as it may deem desirable in each case The council is authorized to alter such plans and to specify any changes or modifications of any kinds which it [in its discretion] may deem necessary with respect thereto and may make its approval of such plans subject to any such alterations changes or modifications Any plans when so approved shall be signed on behalf of the borough by such officer as the council may designate and shall be filed in the office of the borough engineer or other proper officer where the same shall be available to public inspection No [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans so approved by the council or with further plans subsequently approved by it in the same manner

Section 1667 Appeal From Refusal of Council In any case where the borough council shall refuse to approve any plans submitted to it [in accordance with this section] any person aggrieved by the action of such council may within thirty days after such action appeal from such action by petition to the court of quarter sessions of the county which court shall hear the matter de novo and after hearing may enter decree affirming reversing or modifying the action of the council as may appear just on the premises The court shall designate the manner in which notice of the hearing of any such appeal shall be given to all parties interested The decision of the court shall be final

The action of the borough council or the court on appeal in approving any such plan and such approved plan shall be recorded by the person applying for such approval in the office of the recorder of deeds in the county

Section 1668 Streets Opened Without Approval Penalty If any [road] street [lane or alley] or any drainage facilities in connection therewith shall be opened constructed or dedicated for public use or travel except in strict accordance with plans approved by the council or the court on appeal as provided in [section one thousand six hundred sixty-six hereof] this subdivision neither the borough council nor any public authorities shall place construct or operate any sewer drain water pipe or other facilities or do any work of any kind in or upon such [road] street [lane or alley] and neither the borough council nor any other public authorities shall have any responsibility of any kind with respect to any such [road] street [lane or alley] or drainage facilities notwithstanding any use of the same by the public Provided however That nothing herein contained shall prevent the laying of trunk sewers drains water or gas mains if required by engineering necessity for the accommodation of other territory

Any person who shall construct open or dedicate any street or any drainage facilities in connection therewith for public use or travel in any borough without having first complied with the provisions of section one thousand six hundred sixty-six and one thousand six hundred sixty-seven of this act or of any borough ordinance adopted pursuant thereto shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or suffer imprisonment not exceeding two years or both in the discretion of the court Nothing herein contained shall be construed to apply to the Department of Highways of the Commonwealth

Section 1669 Entry on Land to Maintain Marks and Monuments The borough council its representatives and workmen may enter upon any land and property and maintain marks and monuments so far as the council may deem necessary in carrying out their powers and duties hereunder

[Any person who shall construct open or dedicate any road street lane or alley or any drainage facilities in connection therewith for public use or travel in any borough without having first complied with the provisions of this act and of any ordinance of such borough adopted pursuant hereto shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment not exceeding two years or to pay a fine not exceeding one thousand dollars or both in the discretion of the court

Nothing herein contained shall be held to restrict or limit the Department of Highways of the Commonwealth or any county in the exercise of any of its duties powers and functions under the provisions of any act of Assembly now in force or hereafter to be enacted]

Section 49 Subdivision (h) of article XVI and Sections 1670 and 1671 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 50 Subdivisions (a) and (b) of Article XVII and Sections 1701 1702 1703 1705 1706 1707 1708 and 1709 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 51 Subdivisions (c) (d) (e) and (f) of Article XVII are relettered to subdivisions (a) (b) (c) and (d) and sections 1712 1713 1714 1725 1726 1727 1730 1735 1740 1745 1750 1755 1756 1757 and 1758 are hereby reenacted revised and amended to read as follows

Article XVII

Street Improvement

[(c)] (a) Grading Curbing Paving or Macadamizing Streets and Collection of Cost by Foot-Front Rule

Section 1712 Proceedings With or Without Petition Boroughs with petition or without petition may grade curb gutter pave macadamize or otherwise improve streets [lanes and alleys] or parts or a particular width or additional widths thereof with or without the assistance or

contribution of the State county or a corporation occupying the thoroughfare and where the petition for the improvement is signed by petitioners representing a majority in the number of feet of assessable properties abutting on the proposed improvement may assess and collect the whole cost thereof or the whole cost not thus aided or contributed or any part thereof from the owners of real estate abutting on the improvement by an equal assessment on the foot-front including the expenses of the necessary drainage but in all other cases not more than two-thirds of the whole cost thereof or two-thirds of the whole cost not thus aided or contributed may be assessed and collected from the abutting owners on the foot-front rule the remainder to be paid by the borough. The council may make equitable adjustments for corner lots or lots of irregular shape where an assessment for full frontage would be unjust. Property not otherwise assessable shall become assessable by the petition of the owner or the owner's representative. In all cases where the whole width of the highway is being paved without State or county aid and more than two-thirds of the total cost is proposed to be assessed on abutters the borough shall for this purpose be considered as owner of non-assessable property of street [and alley] intersections and of the deducted frontage on equitable adjustments. On petition of owners representing two-thirds of the number of feet of assessable properties abutting on the proposed improvement the total cost of the improvement or a lesser amount if the borough desires may be assessed on the assessable properties abutting without any deduction for non-assessable property or street and alley intersections or for the equitable adjustments aforesaid [Provided That] if the petition states that the total cost may be assessed on the abutters. Provided however that if in connection with such proceedings any street or sidewalk is so graded or changed in grade that private property is damaged thereby and the damages have not been released or agreed upon then the damages shall be awarded and benefits costs and expenses in connection with the improvement shall be assessed as provided in Article fourteen in the case of property taken injured or destroyed.

Section 1713 Notices of Assessments. The secretary of the borough shall cause thirty days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises.

Section 1714 Collection of Assessments. If any assessment shall remain unpaid at the expiration of the notice it shall be the duty of the borough solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by a lien to be filed and collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim.

[(d)] (b) Grading Curbing Paving
Macadamizing Boundary Streets
and Streets Outside Limits

(1) By Agreement with Municipalities and Townships

Section 1725 Agreements to improve boundary Streets. Boroughs may enter into agreements with adjoining municipalities and townships for the grading curbing paving or macadamizing of streets [and alleys] which may be boundaries between such boroughs and municipalities or townships and may provide in such contract that the damages costs and expenses of such improvement shall be divided between such boroughs municipalities or townships in the proportion agreed upon.

Section 1726 Petition of property owners. In grading curbing paving or macadamizing such streets [or alleys] boroughs shall exercise such power only upon petition of a majority of the property owners in interest and number abutting the line of the proposed improvements within the borough limits to be verified by the affidavit of at least one of the petitioners a majority in interest of owners of undivided interests in any piece of property

to be treated as one person asking that such improvement be made.

Section 1727 Assessment of damages and benefits. The portion of the damages costs and expenses agreed to be paid by the borough shall be ascertained and the benefits incident thereto shall be assessed and collected in the manner provided in article fourteen of this act but the borough may agree to pay any part of the costs damages and expenses of such improvements out of the general funds.

(2) By Agreement with Counties and Townships

Section 1730 Proceedings to Improve Boundary [Roads] Streets. Whenever the center line of any [highway] street constitutes the dividing line between any borough and a township located in the same county [and] the borough [shall] may enter into a contract with the commissioners of the county and the commissioners or road supervisors of the township as the case may be to grade curb pave macadamize such [highway] street in accordance with the provisions of the act of the twentieth day of May one thousand nine hundred and thirteen page two hundred and sixty-seven entitled "An act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned" or any amendments thereto such. Such alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the authorities of the borough and in compliance with the plans to be agreed upon in writing between such borough and the commissioners of the county and the commissioners or road supervisors of the township. One-half of the cost of such repairs shall be borne by the borough.

(3) Streets More than One-half the Width of Which are Within the Borough

Section 1735 Whenever any street [alley or highway] more than one-half the width of which is within the limits of any borough shall divide the said borough from any other municipality or township located within the same county such street [alley or highway] may be improved by the borough within which the greater width is located in the same manner as if the said street [alley or highway] were entirely located within the limits of said borough.

The property abutting on the side of said street [alley or highway] which is located outside the limits of the borough making such improvements shall for a depth of one hundred and fifty feet plus one-half the width of said street [alley or highway] from its center line be assessed for any and all municipal improvements to or on the said street [alley or highway] in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such borough.

(4) Assessment on Property Outside Limits Where Boundary Line Street Entirely Within Borough

Section 1740 Wherever any street [or alley] entirely within the limits of any borough shall divide such borough from any other municipality or township located in the same county the property on the side of the street [or alley] opposite the line of the borough shall for the depth of one hundred and fifty feet be assessed for municipal improvements on such streets [or alleys] or which such property shall abut in the manner provided by this article for assessments by the foot-front rule and such improvements may be made assessed and collected in accordance with the provisions of this article for assessments by the footfront rule.

(5) Streets Outside Limits

Section 1745 Appropriations to Improve Connecting Links. Boroughs may singly or jointly with boroughs cities or counties appropriate and expend moneys for the improvement of [highways] streets outside of the limits of such boroughs for the purpose of connecting improved streets in such boroughs with State [or State-aid] high-

ways No such [highways] street shall be improved which shall be more than one mile in length

Whenever the comfort and safety of the residents of adjoining boroughs will be enhanced by any overhead or underground pasageways connecting with adjoining [public highways] streets in either borough and extending to any plant or place of business where residents of such boroughs are [empowered] employed such boroughs may jointly construct and maintain any such passageway or they may join with other interests in the construction and [or] maintenance thereof

[(e)] (c) Maintenance and Improvement of Condemned and Abandoned Turnpikes

Section 1750 When any turnpike or part thereof situate in the same or more than one county shall be condemned for public use free of tolls and the assessment of damages therefor shall have been paid by the county or when any turnpike company or association has abandoned its turnpike or any part thereof or when any turnpike company or association has been dissolved such turnpike or part thereof located within the limits of any borough shall be maintained and improved in the same manner as other streets of the borough

[(f)] (d) Maintenance and Improvement of Streets Connecting County Roads

Section 1755 Maintenance of Roads Improved by Counties Whenever any county shall improve any [road] street located within any borough under the provisions of an act approved the thirteenth day of May one thousand nine hundred and nine page five hundred and twenty-seven entitled "An act amending an act approved the twenty-second day of April Anno Domini nineteen hundred and five entitled 'An act to amend an act entitled 'An act providing for the permanent improvement of certain public roads or highways in the several counties of this Commonwealth making such improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any such road as may thereby become unnecessary authorizing the taking of property for such improvement and providing for the compensation therefor and the damage resulting from such taking providing for the payment of the costs and expenses incurred in making such improvements and in thereafter repairing and maintaining said road and authorizing the levy of a tax to provide a fund for such purposes" approved June twenty-sixth one thousand eight hundred and ninety-five providing that public roads and highways may be constructed improved and maintained by the several counties of the Commonwealth as county roads whether existing by other authority or laid out in whole or in part by virtue of this act and providing that public roads and highways may be originally located laid out and established for the purpose of such construction improvement and maintenance by the several counties in the manner and by the procedure set out in the amended act and subject to other provisions thereof providing for the laying out of a system of main thoroughfares to which the establishment construction improvement and maintenance of public roads by the counties shall be restricted after January one one thousand nine hundred and seven but providing for such establishing construction improvement and maintenance of roads not part of said system upon parties interested paying not less than one-fourth of the original cost of construction and providing that the county commissioners of any county may provide rules regulating the use of roads constructed and maintained by the counties and prescribing the penalties for the violation thereof' and providing that public roads and highways located established constructed and improved by the several counties in the manner and by the procedure set out in the said acts shall thereafter be township or borough roads and be maintained and improved by the proper township or borough" or any amendments thereto such road shall by ordinance enacted by the borough council become a borough [road] street and the duty of maintaining the same in repair shall devolve upon the borough in which such road lies

Section 1756 Agreements to Improve Connecting Links Between County Highways Whenever any road is improved by a county in accordance with the provisions of an act approved the eleventh day of May one thousand nine hundred and eleven page two hundred and forty-four entitled "An act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any roads as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" and its amendments and when a borough intervenes between two ends of such county highway and the borough has failed to improve the street [or streets] constituting the shortest and most reasonable route through the borough which will connect the two ends of such highway the council of the borough may by ordinance contract with the county commissioners that the shortest and most reasonable route through such borough be improved or when an improved county highway terminates at the limits of a borough in the same or another county and connects with a borough street which the borough has failed to improve and the county commissioners deem the improvement of such borough street necessary in order to make such highway accessible to the traveling public the council of the borough may by ordinance contract with the county commissioners for the improvement of such street

Section 1757 Payment for Improvements Whenever an improvement is made to a borough street pursuant to the preceding section the cost of such improvement may be divided between the borough and the county The borough ordinance authorizing the improvement shall stipulate what percentage of the cost if any the borough and county shall pay The contract for such improvement may be taken by the borough upon the stipulation of the county to pay its proportionate share of the cost or the improvement may be made by joint contract with the county

Section 1758 Maintenance Agreements Before any [highway] street is so improved the borough shall agree with the county commissioners for the maintenance of such [highway] street Such agreement may provide that such [highway] street shall be kept and maintained in repair by the borough or by the county and in the latter case the cost thereof shall be paid by the borough to the county

Section 52 Subdivision (g) of Article XVII and Section 1760 of the act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 53 Subdivisions (h) (i) and (j) of Article XVII are hereby relettered to subdivisions (e) (f) and (g) and Sections 1765 1770 1771 and 1775 are hereby reenacted revised and amended to read as follows

[(h)] (e) Use of Abutting Lands for Embankments Slopes Fills and Culverts

Section 1765 In the grading of any street [lane or alley] or any part thereof boroughs are hereby authorized and empowered to use so much of the lots and lands abutting on the same for the construction of embankments slopes fills and culverts as may be necessary and proper for the

completion of the improvement and the assessment of damages costs and expenses resulting thereby shall be regarded as other assessments of damages costs and expenses caused by the grading of streets [lanes and alleys] in said borough and shall be assessed and paid as is provided by article fourteen of this act

[(i)] (f) Special Tax and [Sinking] Special Fund for Street Improvement

Section 1770 Special Road [Sinking] Fund Tax [The several boroughs] Boroughs are hereby empowered within their general power to levy [and] taxes and to collect annually a tax upon all property taxable for borough purposes not to exceed five mills on the dollar in any one year for the purpose of creating and maintaining a [sinking] special fund to be used by such borough in making permanent street improvements and to pay contract prices for paving and other permanent street improvements prior to the collection of the cost and expense or any part thereof from the property owners adjoining or abutting thereon by such borough under existing laws

Section 1771 Repayments into [Sinking] Special Fund When the cost and expense or any part thereof of the construction of any permanent street improvement which has been made under existing laws and which has been aided in its construction from the said [sinking] special fund hereby provided for shall have been assessed and collected from the owners of the property adjoining or abutting upon such improvement it shall be applied to the credit of the said [sinking] special fund to the extent of the withdrawal therefrom for such purpose

[(j)] (g) Collection by Installment of Cost of Grading and Improving Streets

Section 1775 Ordinances for Installment Payments When any borough shall authorize the grading subgrading or the permanent paving and improvement of any streets [or alleys] or parts thereof and the entire costs or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot-front rule or according to benefits the council may provide in the ordinance that the assessment may be paid in semi-annual or annual installments Such installments shall bear interest at a rate not exceeding six per centum [from the date of the commencement of the work or the construction of such improvement] commencing at such time as may be fixed by ordinance

Section 54 Sections 1776 and 1777 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 55 Sections 1778 1779 1780 and 1781 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Section 1778 Entry of Liens Liens to secure the assessments shall be entered in the prothonotary's office of the county in the same form and collected in the same manner as municipal claims are filed and collected

Section 1779 Assessments Where Payable Such assessments shall be payable at the office of the borough treasurer or such other place as the ordinance shall provide in semi-annual or annual installments with interest at the rate provided from the date from which interest is computed on the amount of the assessments The moneys so received by the borough shall be applied to the payment of such bonds and interest thereon exclusively

Section 1780 Default in Payment of Installment In case of default in the payment of any installment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the borough solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims

Section 1781 Payments in Full Subdivisions of Property Any owner of property against whom any such assessment has been made may pay the same in full at any time with interest thereon to the next semi-annual or annual payment and such payment shall discharge the lien If any owner shall subdivide any property after the lien attaches he may in like manner dis-

charge the same upon any subdivided portion thereof by paying the amount for which such part would be liable

Section 56 Said Act of May 4 1927 (P. L. 519) is hereby further revised and amended by adding thereto Sections 1785 1786 1787 1788 1789 and 1790 as subdivision (h) of Article XVII to read as follows

(h) Collection of Cost of Street and Sidewalk Improvements by Installments

Section 1785 Power Whenever any borough shall provide for any permanent paving and improvement of any streets and sidewalks or parts thereof and bonds are to be issued and sold in the manner provided by law to provide for the payment thereof it shall have the power to ordain that the costs and expenses of such improvements may be collected in accordance with the provisions of this subdivision

Section 1786 Contract Price Taken as Cost The contract price for such improvements and interest thereon to the first day when interest is payable on such bonds shall be taken as the cost of said improvements to be assessed on the property benefited according to existing law

Section 1787 Filing Liens Claims for such assessments shall be filed in the prothonotary's office in the manner provided by law for the filing of municipal claims and shall if filed within six months from the completion of the improvements remain a lien upon the property assessed until the term for which said bonds are issued shall expire unless sooner paid and satisfied or until the property is sold for the nonpayment thereof as herein-after provided

Section 1788 Collection of Assessments Such assessment shall be payable at the office of the borough treasurer in equal annual installments during the term of years for which said bonds are issued with interest at the rate provided in said bonds from the date to which interest was computed on the amount of the assessments or so much as remains unpaid from time to time until all said assessments and interest are fully paid The money so received by the borough treasurer shall be applied to the sinking fund Any owner of property against whom an assessment shall have been made for such improvement shall have the right to pay the same or any part remaining unpaid in full with interest thereon due on said assessment Such payment shall discharge the lien If any owner shall subdivide any property after such lien attaches he in like manner may discharge the same upon any subdivided portion thereof by paying the amount for which said part would be liable

Section 1789 Payment of Interest If all annual installment and interest payments are made as herein provided at the times fixed by the borough council no proceedings shall be instituted for the collection of such assessment and no property shall be sold for the nonpayment thereof during the term of years for which said bonds are issued

Section 1790 Defaults in Payments In case of default in the payment of any two annual installments and interest for a period of sixty days beyond the time when the second defaulted payment was due the entire assessment and accrued interest shall become due and payable and the borough solicitor shall proceed to collect the same in accordance with law If at the end of the term for which the bonds were issued any part of such assessment and interest shall remain unpaid the borough solicitor shall within six months thereafter proceed in like manner to collect the same

Section 57 Sections 1801 to 1807 inclusive of the act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XVIII

Sidewalks

(a) Grading Paving Repairing Sidewalks Curbs and Gutters

Section 1801 Power to Ordain and Lay Out Boroughs may ordain and lay out sidewalks curbs gutters and drains on the streets of the borough

Section 1802 Establishment of Grades Boroughs may establish a grade or grades for [footways or] sidewalks which grade or grades may be separate and apart from the grade or grades established for the cartway or roadway

Section 1803 Sidewalks on [Turnpikes and] State Highways Boroughs may ordain and lay out sidewalks gutters and drains upon the beds of [turnpike roads or] State highways with the consent of [companies controlling such turnpikes] or the State [Highway Commissioner] Secretary of Highways

Section 1804 Sidewalks on Lands Abutting State Highways Boroughs may ordain and layout sidewalks gutters and drains upon lands abutting the sides of State highways and upon land abutting the sides of public roads where such roads are outside the borough limits and the land upon which such sidewalks are to be laid out is within the borough limits

Section 1805 Width of Sidewalks Grading and Paving Boroughs [shall] may fix the width of all sidewalks and may require the grading paving and repairing of sidewalks and the constructing and repairing of curbs and gutters at the edge of sidewalks by the owners of lots fronting thereon All sidewalks curbs and gutters when constructed shall be kept in safe and useable condition by the owner of the abutting property

Section 1806 Borough May Pay Part of Cost The borough may pay a portion of the cost and expense of grading and curbing sidewalks

Section 1807 Borough May Do Work Collection of Cost Upon the neglect of any owner of lots to comply with the requirements as provided in the preceding sections of this article the borough may after notice cause the grading paving repairing curbing and guttering to be done at the cost of such owner and may collect the cost thereof and ten per centum additional together with all charges and expenses from such owner and may file a municipal claim therefor or collect the same by action in assumpsit

Section 1808 Service of Notice All such notices shall be served upon the owner of the premises to which the notice refers if such owner [be] is a resident of the borough If the owner is not a resident then the notice may be served upon the agent or tenant of the owner or upon the occupant of such premises If the owner [have] has no agent or tenant or there [be] is no occupier of such premises then service shall be by [printed or written] notice posted upon the premises

Section 58 Said act of May 4 1927 (P. L. 519) is hereby revised and amended by adding thereto Section 1809 to read as follows

Section 1809 Sidewalks Creating Nuisances Where a nuisance results from the condition of a sidewalk and the safety of pedestrians is imminently jeopardized the borough may abate the nuisance with or without notice and may collect the cost thereof in the same manner and to the same extent as in other cases of the abatement of nuisances

Section 59 Subsection (b) of Article XVIII and Sections 1810 1811 1812 and 1813 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 60 Subsection (c) of Article XVIII is hereby relettered and Sections 1815 1816 and 1817 are hereby reenacted revised and amended to read as follows

[(c)] (b) Emergency Repairs to Sidewalks

Section 1815 Emergency Repairs Notice In addition to the remedies now vested in [the Borough of this Commonwealth] boroughs to make repairs to sidewalks [the said] boroughs shall have power to make emergency repairs to sidewalks within corporate limits where in the opinion of the officer or head of the department or committee lawfully having charge of sidewalk repairs a dangerous condition exists that can be repaired by an expenditure of not more than [twenty-five] fifty dollars Before the said repairs are made a notice to make the

repairs within forty-eight hours shall be served upon the owner of the said property If the owner cannot be served within the county notice may be served upon the agent of the owner or the party in possession [if any there be] or if there [be] is no agent or party in possession the notice may be served by posting the same upon [the most public part of] the said premises

Section 1816 Collection of Costs Upon the completion of the work the cost thereof shall be a charge against the owner of the property and shall be a lien until paid upon the abutting property provided a claim is filed therefor in accordance with the law providing for the filing and collection of municipal claims Any such charge may also be collected by action of assumpsit

Section 1817 Limitation on Cost This subdivision is intended to provide an additional remedy for boroughs in connection with emergency repairs where the actual cost of doing the work does not exceed [twenty-five] fifty dollars and the certificate of the officer or head of the department or committee in charge of repairs to sidewalks shall be conclusive evidence of the existence of the emergency justifying the repair under the terms of this act

Section 61 Article XIX and Sections 1901 and 1902 are hereby reenacted to read as follows

Article XIX

Contracts With Street Railways

Section 1901 Power to Contract To secure the removal of any street railway tracks or to prevent the laying of any tracks authorized to be laid or to change the route of any street railway on any street a borough may subject to the approval of the Public [Service] Utility Commission enter into a contract with a street railway or motor power company owning leasing or operating such tracks for a period not exceeding fifty years for such considerations and upon such conditions as may be agreed upon

Section 1902 Covenants Such contract may include a covenant providing that during the continuance thereof municipal consent shall not be granted to any other company to use for street railway or passenger transportation purposes any streets covered by such contract Such covenant may be enforced by bill in equity against the borough The contract may also provide for the laying or relaying of tracks upon such terms and upon such conditions as may be agreed upon

Section 62 Sections 2001 to 2021 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XX

Bridges and Viaducts

(a) General Power

Section 2001 General Powers Boroughs may construct bridges and the piers and abutments therefor and in exercising such power shall have the right to take use and occupy private property Bridges constructed by boroughs shall be deemed to be a part of a street

Section 2002 Proceedings Whenever any borough shall build any bridge and the piers and abutments therefor the same procedure shall be had as provided in article sixteen of this act relating to the opening widening and straightening of streets and all damages shall be awarded and benefits assessed as provided in article fourteen of this act

Whenever in the laying out opening widening extending straightening or grading of streets it becomes necessary to build bridges piers and abutments therefor the proceedings therefor shall be in the case of opening widening extending or straightening streets as provided in article sixteen and in the case of grading as provided in article seventeen and all damages shall be awarded and benefits assessed as provided in article fourteen of this act

(b) Over Boundary Streams

Section 2005 Power to Construct Boundary Bridges

Whenever a creek over which a bridge may be necessary shall be on the division line of a borough and municipality or township the borough shall unite with such municipality or township in the construction and maintenance of such bridge and pay an equal share of the expenses incident thereto

(c) Over Railroads

Section 2010 Power to Erect Across Railroads Boroughs may build bridges or viaducts over railroads rivers creeks streams and private property or over railroads and any of them or over railroads only whether the bridges or viaducts be wholly or partly within the borough limits for the purpose of uniting two or more streets or separate portions of the same street Such bridges and viaducts must in all cases cross railroads

Section 2011 Proceedings Boroughs may provide for the laying out and opening of the routes or locations for such bridges and viaducts which shall be public highways The proceedings for the laying out and fixing such locations and for the opening thereof shall be as provided in article sixteen of this act for the laying out and opening of streets except that no petition of property owners shall be required therefor

Section 2012 Proceedings to Assess Damages and Benefits In case the borough has not agreed with the owner of any land for the damages done or likely to be done by the erection of any such bridge or viaduct the borough may appropriate the lands and property necessary and the damages and benefits caused by such appropriation shall be assessed by viewers in the manner provided in article fourteen of this act

Section 2013 Contracts for Payment of Damages The borough shall also have power to enter into a contract with the county commissioners and also with railroads street railways and other companies or parties interested for the building and maintenance of such bridges or viaducts and for the payment of any damages caused by the location or erection thereof

Section 2014 Maintenance Nothing contained in the preceding section shall authorize a borough to contract with a county for the maintenance of any bridge or viaduct which does not cross a place over which the county is authorized to build bridges but such viaduct or bridge shall be maintained as a borough structure and the borough is authorized to contract with any party interested except the county for the maintenance of the same

Section 2015 Covenants of Contracts The contracts herein provided for may stipulate that the borough county railroad company street railway or other company or party interested shall pay a certain part of the contract price of the work including damages or may stipulate that each shall construct a certain portion of the work and may provide otherwise for the payment of damages

Section 2016 Payments by Railroad Companies When any railroad company street railway or other company or party interested agrees to pay a certain portion of the cost of such work it shall pay the same into the borough treasury and the borough treasurer shall pay the same over to the contractor as may be provided in the contract but the amount to be paid by the county shall be paid directly to the contractor The agreements may provide for the maintenance of the bridges and viaducts after their erection

Section 2017 Plans Bids After any such contract has been entered into the borough in conjunction with the county commissioners shall have prepared plans and specifications of the entire work and shall advertise for bids and award the contract to the lowest responsible bidder

Section 2018 Covenants of Contracts The contract for the work shall provide that the county shall pay its certain part of such bridge or viaduct and the borough shall contract for the other part of the work but the contract as to the borough's part shall be based upon the appropriation made by the borough for the part of the work for which it had agreed to pay and the remaining

part of the contract price shall be based upon the amounts the other parties have agreed to pay

Section 2019 Contractor May Sue on Contract The contractor shall have a right of action against each party uniting in the contract provided for in this subdivision for the part thereof agreed to be paid by each party

Section 2020 Proceedings where County does not Join In case the county commissioners do not unite in the contract the borough may contract for the construction of such bridge or viaduct and may pay for the entire work or may contract with all or any of the other parties for such work Plans and specifications shall be prepared and advertisement shall be made for bids by the borough and the contract shall be let in the manner [hereinbefore] provided in this act

Section 2021 Recording Contracts Any of [the] such contracts [provided for] may be recorded in the recorder's office of the county and such record shall be notice to all persons who might be affected thereby

Section 63 Subdivision (d) of Article XX and Sections 2025 2026 2027 2028 2029 2030 and 2031 of said act of May 4 1927 (P. L. 519) are hereby repealed

Section 64 Article XXI and Section 2101 to 2180 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXI

Sewers

(a) [Laying Out and Assessment According to Benefits] Construction of Sewers and Sewage Treatment Works

Section 2101 Power to Lay Out [and] Ordain and Construct Boroughs may with the consent and permit of the Sanitary Water Board lay out [and] ordain [such common sewers and drains as may be necessary in any street or alley or through or over private property] and construct sewers in streets or on private property and may construct sewage treatment works on land owned or acquired for such purposes and pay the costs and expenses thereof out of borough funds or may assess the costs and expenses of sewers in streets as herein provided

Section 2102 [Proceedings on] Assessment According to Benefits Where a borough constructs sewers in streets of the borough and desires to assess the costs and expenses upon property benefited then on petition viewers shall be appointed as provided in article fourteen of this act who shall assess the damages costs and expenses of the sewer upon the property benefited according to benefits if sufficient can be found but if not then the deficiency when finally ascertained shall be paid by the borough The proceedings of the viewers and the proceedings on their report shall be as provided in article fourteen of this act

[(b) Sewer System and Assessment According to Foot-Front Rule]

Section 2105 [Ordinance to Construct System Any borough may by ordinance adopt and construct such system of sewers as may be necessary for the disposal of sewage matter] Assessment by Foot-Front Rule Where a borough constructs sewers in streets of the borough and desires to assess the costs and expenses by the foot-front rule they may by ordinance provide that the expenses shall be assessed upon the property abutting thereon by the foot-front rule and may provide for equitable adjustments for corner lots or lots of irregular shape where an assessment for the full frontage would be unjust The Secretary of the borough shall cause thirty days' notice of the assessment to be given to each party assessed either by service on the owner or his agent or left on the assessed premises

Section 2106 Places and Manner of Construction The borough shall fix the places along the streets [alleys and courts] where such sewer [mains or drains] and branches thereof shall be laid down and shall prescribe the manner in which they shall be constructed

Section 2107 Permit from Sanitary Water Board No contract for the construction of any such sewer system or

treatment works shall be entered into until a permit for the construction of the same shall have been obtained from the Sanitary Water Board

Section 2108 Assessments of Cost Whenever any borough shall [so determine to] construct any sewer in any street [it shall by ordinance] and assess the cost thereof [as a sewage tax upon the property adjoining or adjacent to the same either] by the foot-front rule [or in such other manner as to the burgess and town council may seem equitable which] the assessment duly certified under the seal of the borough attested by the burgess or the president of council and secretary shall be collectible from the owner of such property

Such certificate of assessment shall be prima facie evidence in any suit for the recovery of the same of the correctness and validity of such assessment

The assessment herein referred to shall be computed under the terms of the ordinance but the individual assessments need not be expressed therein

Section 2109 Collection of Assessments If the owners of property against which a foot-front assessment [for sewage tax have] has been made shall refuse to pay such assessment within thirty days after notice of the same it shall be the duty of the borough solicitor to collect the same with interest from the time of completion of the improvement by action of assumpsit or by lien to be filed and collected in the same manner as municipal claims When an owner has two or more lots against which there is an assessment for the same improvement all of such lots may be embraced in one claim

Section 2110 Regulations of Borough The borough may enforce by penalties such regulations as it may ordain with reference to the use and maintenance of such sewage system and treatment works

Section 2111 Extensions Beyond Borough Limits Eminent Domain The borough may extend the necessary sewer mains and outlets beyond the limits of such borough to a point where such sewage is to be disposed and shall have power to enter upon and condemn such lands property and materials for the construction of all such sewer mains outlets and treatment works as may be necessary for the disposal of such sewage

Section 2112 Notice of Certain Ordinances No ordinance for any [such] construction of sewers or treatment works beyond the limits of the borough [or any works connected therewith] shall be adopted until notice thereof has been given by publication of the proposed ordinance for at least four weeks in one newspaper of general circulation published in the borough [or county] and if no such newspaper is published in the borough then in such a newspaper circulating in the borough and also by serving copies of such proposed ordinance upon all land owners through whose land such sewer is to pass or on whose lands any treatment works are to be located at least ten days before final action thereon But no notice as herein provided shall be required where such construction beyond the limits of a borough is entirely within the limits of any street or highway In such cases a written notice shall be given to the corporate authorities of the municipality or township having jurisdiction over such street or highway before the construction is commenced

Section 2113 Security for Damages Assessments Before entry shall be made upon private property without the owner's consent for the purpose of laying any [such] sewer [or outlet] or constructing any [such] treatment works security for all damages which may be done shall first be given to such owner in such form and in such amount as the court of common pleas of the county may direct All damages caused by the construction of any such sewer or works or by the taking of lands and materials therefor shall be ascertained in the manner provided in article fourteen of this act for property taken injured or destroyed and shall be paid out of the borough treasury

[(c)] (b) **Construction of Sewers Outside Cartway and Curb Lines**

Section 2115 Power to Construct Boroughs are hereby authorized to require and permit sanitary sewers and

sewer pipes to be laid and constructed on either side of the cartway or the curb lines thereof in any street [or highway]

The said sewers shall be for the service and use of the property abutting thereon on the side of the street [or highway] in which they are laid

Section 2116 Collection of Costs and Expenses The costs and expenses of any sewer laid and constructed as aforesaid may be assessed against the abutting property in front of which the same is laid and such costs and expenses when so assessed shall be assessed and collected in the [way and] same manner as the cost and expenses of other sewers are assessed and collected in the respective borough in which the same are laid

[(d)] (c) **Joint Sewers**

Section 2120 Building Joint Sewers (a) Boroughs may jointly with other [municipalities] cities boroughs or townships [or both] build and construct sewers including trunk line sewers or drains and sewage treatment works and may connect into such system existing sewers and may assess their respective portions of the cost thereof or so much thereof as may be legally assessable upon property benefited by the improvement either by viewers [as is provided in the case of boroughs by section two thousand one hundred and two of this act] or by the foot-front rule as provided [in sections two thousand one hundred and eight and two thousand one hundred and nine of this act] in this article Any portion of the cost of such improvement not assessed or not assessable shall be paid by the respective cities boroughs and townships joining as may be agreed upon

(b) The boroughs cities and townships joining or contemplating joining in any such improvement in order to facilitate the building of the same and securing preliminary surveys and estimates may by ordinance [or resolution] provide for the appointment of a joint sewer board composed of one representative from each of the boroughs cities and townships joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The [joint sewer] board shall organize by the election of a chairman [vice-chairman] secretary and treasurer The secretary and treasurer may be the same person The several boroughs cities and townships may in the ordinances [and resolutions] creating the [joint sewer] board authorize the board to appoint and engineer a solicitor and such other assistants as are deemed necessary and agree to the share of the compensation of such persons each borough city and township is to pay The members of the [joint sewer] board shall receive such compensation for attending meetings of the board as shall be fixed in the budget prepared by the board for submission to and adoption by the several boroughs cities and townships as hereinafter provided and shall be entitled to actual expenses to be paid by the respective boroughs cities and townships which such members represent

(c) The [joint sewer] board shall have power to adopt rules and regulations to govern its proceedings and shall prepare and suggest any practical measures and plans by means of which the joint improvement may be carried to successful completion and plan the future development of the system so as to conform to a general plan [assured and safeguarded] It shall have power to prepare a joint agreement or agreements for submission to and adoption by the several boroughs cities and townships defining the advisory and administrative powers of the board setting forth the consents of the several boroughs cities and townships to the proposed improvement the manner in which preliminary and final plans specification and estimates for the proposed improvement shall be prepared and adopted how proposals for bids shall be advertised and contracts let the manner in which the costs of the improvement and other incidental and

preliminary expenses in connection therewith and the future cost of operation and maintenance shall be equitably shared apportioned and paid and such other matters including the preparation and submission of annual and other budgets as may be deemed necessary or required by law to carry the proposed improvement to completion and to assure future maintenance and operation thereof. But nothing herein contained shall authorize the board to make any improvement or expend any public moneys which has not first been authorized by all of the boroughs cities and townships proceeding with the improvement.

(d) In any case where it shall be necessary to acquire appropriate injure or destroy private property lands property or material to build any such joining sewer improvement and the same cannot be acquired by purchase or gift the right of eminent domain shall vest in the borough city or township where such property is located. In any case where it shall be necessary to acquire injure or destroy property in any territory not within the limits of any of the boroughs cities or townships joining in the improvement then the right of eminent domain shall be vested in any borough city or township adjacent to such territory where such property is located. Damages for any property taken injured or destroyed shall be assessed as provided by the general laws relating to the boroughs cities and townships exercising the right of eminent domain and shall be paid by the several boroughs cities and townships joining in the same proportion as other costs of the improvement.

(e) Each of the boroughs joining in any such improvement shall have power to incur or increase its indebtedness not exceeding the constitutional limits for the purpose of paying its share or portion of the cost of such improvement in the manner now provided by law for the incurring of indebtedness.

Section 2121 Approval of Sanitary Water Board. No such sewer or sewage treatment plant shall be constructed until plans and specifications have been submitted to the Sanitary Water Board and approved in accordance with provisions of [the act of Assembly providing for such approval] existing laws.

Section 2122 Connections with Sewers of Adjacent Municipalities. Any borough may connect with an existing sewer owned by any adjacent municipality or township for sewage purposes in the manner prescribed in the following sections of this subdivision of this article.

Section 2123 Applications to Court. Whenever any borough shall desire to connect with the existing sewer of any adjacent municipality or township and no agreement either upon the basis of a rental payment for the use of an existing sewer or a division of the cost of the construction or maintenance thereof has been reached between such borough and the adjacent municipality or township an application shall be made by council to the court of quarter sessions of the county setting forth that fact.

Section 2124 Appointment of Viewers. If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers who shall view the premises and investigate the facts of the case and shall assess the proportionate part of the expense of building the original sewer upon such borough and shall fix the proportion of the expense for repairs which each municipality or township shall thereafter bear and determine all other questions liable to arise in connection therewith.

Section 2125 Report of Viewers Appeals to Court. The viewers shall report to the court the result of their investigation which report shall be confirmed within thirty days unless exceptions thereto be filed. After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the Supreme or Superior Court.

[(e)] (d) Power to Supply Sewage Service
Outside Borough Limits

Section 2130 Power to Supply Service. Whenever any borough is maintaining and operating a sewage system and sewage purification or treatment works it shall be lawful for such borough to supply sewage service to municipalities townships persons and corporations outside the limits of such borough and to enter into contracts for such service at rates not less than those required to be paid by persons and corporations within the limits of such borough but no such privilege shall conflict with the rights of any sewer company or the rights of any other borough.

Section 2131 Power to Extend Lines and Condemn Property. For the purpose of supplying such sewerage facilities any such borough may extend the necessary sewer mains and pipes beyond the limits of such borough to the points where such sewerage is to be collected and received and shall have the power to enter upon and condemn such lands property and materials for the construction of such sewer mains and pipes as may be necessary to the furnishing of such sewerage service.

Section 2132 Procedure Assessment of Damages. Before entry shall be made upon private property without the owner's consent for the purpose of laying any such sewer mains or pipes or constructing such sewer collection system outside of the limits of the borough security for all damages which may be done shall be first given to such owner in such form and in such amount as the court of common pleas of the county may direct and all damages caused by the construction or laying of such sewer mains or pipes or by the taking of lands and materials therefor shall be ascertained in the manner provided in article fourteen of this act.

[(f)] (e) Acquisition of Sewer Systems

Section 2135 Power to Acquire Sewer Systems. Any borough in which any person firm or corporation is maintaining sewers and culverts with the necessary inlets and appliances for surface undersurface and sewage drainage may become the owner of such sewers culverts inlets and appliances by [paying therefor the actual value of the same at the time of the taking by the borough] purchase or by the exercise of the power of eminent domain.

Section 2136 Assessment of Damages. In case of disagreement the amount to be paid shall be ascertained [under] in the manner provided in article fourteen of this act. In the same proceeding the viewers shall assess the costs and expenses of the sewer culverts inlets and appliances acquired by the borough upon the property benefited according to benefits if sufficient can be found but if not then the deficiency when ascertained shall be paid by the borough.

[(g)] (f) Collection by Installment of Cost
of Building and Acquiring Sewers

Section 2140 Ordinance for Installment Payments Interest. Whenever any borough shall by ordinance authorize the construction or acquisition of any sewer or system of sewers and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot-front-rule or according to benefits the council may provide in such ordinance that the assessment may be paid in semi-annual or annual installments. Such installments shall bear interest at a rate not exceeding six per centum from the date of the commencement of the work or the construction of such improvement.

Section 2143 Liens to Secure Assessments. Liens to secure the assessments shall be entered in the prothonotary's office of the county in the same form and collected in the same manner as municipal claims are filed and collected.

Section 2144 Payment of Assessments. Such assessments shall be payable at the office of the borough treasurer or such other place as the ordinance shall provide in semi-annual or annual installments with interest at the rate provided from the date from which interest is computed on the amount of the assessments [The money

so received by the borough shall be applied to the payment of such bonds exclusively]

Section 2145 Default in Payment In case of default in the payment of any installment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims

Section 2146 Payments in Advance Subdivisions of Property Any owner of property against whom any such assessment has been made may pay the same in full at any time with interest thereon to the next semi-annual or annual payment and such payment shall discharge the lien. If any owner shall subdivide any property after the lien attaches he may in like manner discharge the same upon any subdivided portion thereof by paying the amount for which such part would be liable

Section 2149 General Powers Not Interfered With Nothing contained in this subdivision of this article shall prevent the construction of any sewer and the payment of the same by general taxation when the same is for the general health and public welfare of any borough

[(h)] (g) Sewer Connections

Section 2155 Ordinances to Require Sewer Connections Any borough may by ordinance require any owner of property abutting on or adjoining any street [or alley] in which is a sewer to make connections with such sewer in such manner as the borough may order for the purpose of discharge of such drainage or waste matter as the borough may specify. The borough may by penalties enforce any regulation it may ordain with reference to any sewer connections

Section 2156 Notice of Ordinance Failure to Comply with Ordinance The owner shall be given forty-five days' notice of any resolution or ordinance requiring such sewer connection and upon failure to make such connection the borough may make the same and collect the cost thereof from the owner by a municipal claim or in an action of assumpsit. All connections required shall be uniform

[(i)] (h) Unlawful to Build Within Line of Sewers

Section 2160 It shall be unlawful for any person to erect any building or make any improvement within the lines of the sewers laid out or ordained to be laid out after due notice thereof and if any such erection or improvement shall be made no allowance shall be had therefor in the assessment of damages

[(j)] (i) Opening Sewers

Section 2165 If any borough shall lay out or ordain any sewer over or under private property located in whole or in part within the limits of such borough and proceedings to open the same and to assess the damage arising therefrom shall not be proceeded with by the borough within two years from the enactment of the ordinance the whole proceeding shall be void

[(k)] (j) Assessment of Cost of Maintenance and Repair

Section 2170 Ordinance for Annual Rental Whenever any borough has constructed any sewer or sewer system or has acquired wholly or partially the same at public expense the council of such borough may provide by ordinance for the collection of an annual rental or charge for the use of such sewer or sewer system from the owner of property served by it. The council may at its discretion in lieu of such annual rental or charge provide for the payment by such owner of a fixed sum

Section 2171 How Rental Fixed Such annual rental shall not exceed the amount expended annually by the borough in the maintenance repair alteration inspection depreciation or other expense in relation to such sewer or sewer system and may include any interest on money expended by the borough in the construction of the sewer or sewer system. The said annual or fixed sum

shall be apportioned equitably among the several properties served by the said sewers

Section 2172 Collection of Rental Such annual rental or charge or such fixed sum shall be authorized and collected as provided by general ordinances and when so levied and charged shall be a lien on the properties charged. The collection thereof shall be made and enforced in the manner municipal claims are [now or may hereafter be] collected

The councils of such borough shall execute a warrant or warrants authorizing the collection of such annual sewer rentals or charges or such fixed sum to the officer employed by council to collect the same. Such officer shall have the authority now vested by law for the collection of borough taxes

Section 2173 Lien Such annual sewer rentals or charges or such fixed sum shall be a lien on the properties charged with the payment thereof from the date set forth in the ordinance and if not paid after thirty days' notice may be collected by an action of assumpsit in the name of the borough against the owner of the property charged or by distress of personal property on the premises or by a lien filed in the nature of a municipal lien

(k) Sewers on Boundary Streets

Section 2174 Power to Lay and Construct Boroughs shall have authority to lay and construct sewers in any [alley] street [or highway] any portion of which is within the limits of the borough and which forms a portion of the boundary dividing the borough from any other city borough or township within the same county in the same manner and to the same extent as if the whole of said [alley] street [or highway] was within the limits of said borough

Section 2175 Assessment of Benefits The property abutting on the side of said street [alley or highway] which is located outside the limits of the borough constructing such sewers shall for a depth of one hundred fifty feet be assessed for the cost of such sewer as a sewage tax in the same manner as such property would be assessed under the laws of the Commonwealth if it were entirely located within the limits of such borough if such property is given permission to use such sewer and is not at the time such sewer is constructed provided with sewer facilities

(l) Non-debt Revenue Sewer Bonds

Section 2180 Sewer Bonds For the purpose of financing the cost or expense or its share of the cost or expense of constructing or acquiring a sewer sewer system or sewage treatment works either singly or jointly with other municipalities or townships or both any borough may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges for the use of such sewer sewer system or sewage treatment works. Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the borough but shall be a lien upon and payable solely from the annual rentals or charges for the use of said sewer sewer system or sewage treatment works

Whenever any borough has enacted an ordinance or resolution imposing a sewer rental or charge upon properties to be served by such sewer system or sewage treatment works when the same is completed and has pledged sufficient of the revenues to be derived therefrom for the payment of the interest and sinking fund charges on such non-debt revenue bonds it shall have power to authorize the issue and sale of such non-debt revenue bonds from time to time as the work of construction proceeds and sufficient additional non-debt revenue bonds as may be necessary may be issued and sold to provide for the interest and sinking fund charges accruing thereon until said sewer system or sewage treatment works has been completed and has been in opera-

tion for not exceeding one year in order to provide sufficient revenues until such time as sewer rentals or charges may be collected from the owners of properties being served

Nothing in this section shall be construed to abridge or restrict or in any way impair the right of any borough to create indebtedness in accordance with existing laws

Section 65 Article XXII and Sections 2201 to 2226 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXII

Water-Courses

(a) Widening and Deepening Water-Courses

Section 2201 Power to Widen and Deepen Water Courses and Erect Retaining Walls Boroughs may after a permit therefor has been secured from the Water and Power Resources Board widen and deepen water-courses running through the borough and may erect such dykes retaining walls and embankments along the same as shall be necessary to prevent the water from overflowing the banks thereof [and for] A borough may for such purposes [may] enter upon and condemn such property as may be necessary

Section 2202 Right of Entry upon Lands Boroughs may enter upon any land lying near [such] water-courses and secure such material as may be necessary for the purpose of making and repairing the embankments along such water-courses when the same cannot be obtained by contract at reasonable prices Boroughs shall cause no unnecessary damage to the owners of such lands and shall repair any fences which they may [destroy] injure

Section 2203 Appropriation of Moneys Boroughs may appropriate [for such purposes] any moneys of the borough [applicable to the making and maintaining of the streets and bridges of such borough] for the purposes of carrying into effect the preceding provisions of this article

Section 2204 Proceeding to Assess Damages Any person aggrieved by reason of any ordinance passed pursuant to the preceding sections of this article may complain to the court of common pleas and proceedings may be had in the court to fix and determine the damages for property taken injured or destroyed [and for the assessment of benefits upon property benefited and the rights of all parties interested] in the same manner as provided in article fourteen of this act

(b) Vacation and Alteration of Water-Courses

Section 2210 Power to Vacate or Alter Water-Courses Boroughs may vacate or alter the course or channel of any water-course other than navigable streams and for such purpose may enter upon and condemn such property and materials as may be necessary No such vacation or alteration shall be made until a permit therefore has been secured from the Water and Power Resources Board

Section 2211 Notice No ordinance for the vacation or alteration of the course or channel of any water-course shall be passed until notice thereof has been given by publication of the proposed ordinance at least a week for three consecutive weeks in one newspaper of general circulation published in [the county] the borough and if no such newspaper is published in the borough then in a newspaper circulating in the borough

Section 2212 Viewers to Assess Damages The borough may at any time after the passage of the ordinance present a petition to the court of common pleas setting forth the nature of the vacation or alteration proposed in the course or channel of such water-course together with a description of the proposed improvements and praying the court to appoint three viewers to ascertain the damages costs and expenses resulting therefrom and to assess the damages costs and expenses or so much thereof as the viewers may deem reasonable upon the property benefited

Section 2213 Appointment of Viewers The court or any law judge thereof in vacation shall appoint three

viewers from the county board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the line of the improvement and view the same and the premises affected

Section 2214 Proceedings to Assess Damages The proceedings before such viewers for the allowances of damages for property taken injured or destroyed and for the assessment of benefits upon property benefited shall be as provided in article fourteen of this act

Section 2215 Discontinuance of Proceedings If any borough shall repeal any ordinance passed or discontinue any proceeding taken providing for any such improvements prior to the entry upon appropriation or injury to any property or materials the borough shall not be liable to pay any damages but all costs upon any such proceeding together with any actual damage or injury sustained by reason of such proceeding shall be paid by the borough

Section 2216 Liens When the court has entered its final decree confirming the report or fixing the assessments the assessments of benefits shall become liens upon the property assessed and such claims shall be filed and collected in the same manner as municipal claims [are filed and collected or they may be collected by action of assumpsit the lien of the judgment however to be limited to the property assessed]

Section 2217 Waters Excepted Nothing contained in [this] subdivision (b) of this article shall apply to any water-course used by any municipality or water company as a source of supply unless such municipality or water company shall consent to such vacation or alteration

(c) Confining and Paving Water-Courses

Section 2220 Power to Pave and Confine Water-Courses [Upon the written request of the board of health the] A borough may after a permit therefor has been secured from the Water and Power Resources Board confine and pave any water-course or part thereof other than navigable streams within the limits of the borough [and for such purpose] For such purposes a borough may enter upon and condemn such property and materials as may be necessary to complete such work

Section 2221 Notice of Ordinance No ordinance for the confining or paving of any water-course shall be passed until notice thereof has been given by publication of the proposed ordinance once a week for three consecutive weeks in one newspaper of general circulation published in [the county] the borough and if no such newspaper is published therein then in a newspaper circulating therein

Section 2222 Petition for Viewers When the work of confining and paving of any water-course has been completed if the borough cannot agree with the property owners as to the payment of the damages costs and expenses the borough may present its petition to the court of common pleas setting forth the character of such improvements and that the damages costs and expenses incurred have not been paid and praying the court to appoint three [freeholders as] viewers to ascertain the damages costs and expenses resulting therefrom and to ratably assess the damages costs and expenses or so much thereof as the viewers may deem reasonable upon the property benefited and make report thereof to the court

Section 2223 Appointment of Viewers The court or any law judge thereof shall thereupon appoint three viewers from the county board of viewers and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet upon the line of the improvement and view the same

Section 2224 Proceedings to Assess Damages The proceedings before such viewers for the allowances of damages for property taken injured or destroyed and for the assessment of benefits upon property benefited shall be as provided in article fourteen of this act

Section 2225 Liens The final assessment against any property shall be a lien for the amount of such assessment

dating from the time of the final confirmation of the report or the final decree of the court fixing such assessment [if filed in the court within six months from the final assessment or confirmation]

Section 2226 Exceptions Nothing contained in [this] subdivision (c) of this article shall apply to any water-course used by any borough or water company as a source of supply unless such borough or water company shall consent to such confining or paving

Section 66 Article XXIII and Sections 2301 to 2305 inclusive of this act are hereby reenacted revised and amended to read as follows

Article XXIII

Electric Wires

Section 2301 Powers of Boroughs Boroughs may define by ordinance a reasonable district within which electric light electric power telephone and telegraph wires shall be placed underground in conduits owned and constructed either by the borough or by corporations owning such wires or by corporations organized for the purpose of laying such conduits and renting space therein

Section 2302 Borough Regulations Whenever conduits are owned by any person firm or corporation the borough may regulate by ordinance the manner in which conduits shall be used and the terms and conditions [and the rate of rental to be charged for space therein] of such use

Section 2303 Acquisition of Conduits Assessment of Damages Boroughs may acquire [such] conduits by purchase or by condemnation and in the latter case the court of common pleas or any judge thereof in vacation shall upon the petition of the borough appoint a jury of three viewers from the county board not residents of the borough and the proceedings for the assessment of damages shall be the same as provided in article fourteen of this act for property taken injured or destroyed

Section 2304 Borough Not to Surrender Rights The borough authorities shall not surrender or barter away the rights reserved in this article

Section 2305 Appeals from Ordinances The court of quarter sessions of the county upon the appeal of any person may review any ordinance passed pursuant to this article and may annul such ordinance if deemed unreasonable capricious or arbitrary Such appeal shall be taken within thirty days from the approval of such ordinance

Section 67 Sections 2401 to 2421 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXIV

Public Service

(a) Water Supply and Water-Works

(1) General Powers to Supply Water

Section 2401 Power to Supply Water Boroughs may provide a supply of water for the use of the public within such borough by erecting and operating water-works by purchasing and operating water-works by entering into contract with persons or corporations authorized to supply water within the limits of such borough or partly by the erection or purchase and operation of water-works and partly by entering into a contract

Section 2402 Contracts Not to Abridge Powers No contract for the supply of water hereafter entered into by any borough with any person or corporation shall in any wise abridge the power of the borough to construct and operate water-works as provided in the preceding section of this article but such power shall remain in force as though such contract had not been made

Section 2403 Issue of Bonds Where Water-Works Acquired Where the price and terms are agreed upon a borough may become the owner of and operate any water system owned and operated by a corporation furnishing

water within the acquiring borough and in [adjacent] nearby townships or [nearby] boroughs and may pay therefor [by obligations secured by liens on the property acquired and which shall be secured solely by such water works systems and property and the revenues thereof and without any other liability on the part of such borough which obligations shall be exempt from taxation for any purpose] from the revenues derived from general obligation bonds or utility bonds or non-debt revenue bonds issued in the manner provided by the Municipal Borrowing Law Provided That this section shall not apply where a duly organized water company is authorized to furnish and is furnishing service in the [adjacent] nearby townships or [nearby] boroughs where the water company whose system is purchased under the provisions of this act had been furnishing service

Section 2404 [Vote of Electors in Special Cases In all boroughs where authority is given to construct water-works and where the qualified voters are given the right to determine by vote the expediency of constructing such water-works and whenever the question of expediency has been submitted to a vote and has been determined in favor of such expediency and the construction of such works has not been commenced within four years after such election it shall be unlawful thereafter to proceed with such construction until the expediency thereof has been determined by another election] Refunding Bonds Where any borough has heretofore acquired or shall hereafter acquire any water-works and the appurtenances thereto subject to any existing lien or liens and at the time of such acquisition issues utility bonds secured solely by liens on the property of such water-works and imposing no municipal liability then the borough may at the time such utility bonds mature or at any time prior thereto issue and sell utility bonds for the purpose of refunding such outstanding bonds which refunding bonds shall be issued as utility bonds in the manner provided by the Municipal Borrowing Law Such bonds so issued shall not be deemed to be the creation of new obligations but be deemed a continuation of the bonds existing or created at the time of the original acquisition of said water-works and the appurtenances thereto

Such bonds shall not be refunded for a longer period than twenty years and the refunding lien bonds issued shall not bear interest at a rate exceeding six per centum and the amount of the refunding lien bonds so issued shall not exceed in the aggregate the amount of the bonds to be refunded Provided however That any moneys placed in any fund by the borough or by any commission of water-works for the purpose of redeeming or paying such bonds at maturity shall be first applied to the payment as far as applicable of the principal of such bonds to be refunded and the balance of such bonds only shall be refunded by the issue of new bonds

Section 2405 Rates in Particular Boroughs Whenever the schedule of water-rates in any borough owning or controlling water-works shall have been fixed or limited by [general or] special act of Assembly the borough may change the rates or schedule of rates from time to time [so that the same shall not at any time exceed the rates now limited]

Section 2406 Contracts to Supply Water for [Fire Protection] Municipal Purposes Boroughs may receive bids from incorporated water companies authorized to do business within such borough for the supply of water for fire protection and for other municipal purposes and may contract therefor with such company

Section 2407 Power to Supply Water Beyond Limits of Borough Whenever any borough is maintaining water-works it shall be lawful for such borough to supply water for ordinary and domestic uses to persons and corporations outside the limits of such borough [at rates not less than those required to be paid by persons and corporations within the limits of such borough] but no such privilege shall conflict with the corporate rights of any water company or the rights of any other borough

Section 2408 Assessment for Water Mains [That boroughs in this Commonwealth] Boroughs shall have power to assess the whole cost or any part of the cost of construction of new water mains built in connection with the establishment or extension of a municipally owned water supply system and serving the properties abutting thereon against the properties abutting along the line thereof by the front-foot rule and to collect such assessments as other municipal claims are now by law collectible. Provided That the assessment shall be abated to the owner of the property assessed out of rates charged for water consumed in serving the property so assessed. And provided further That the borough may issue negotiable credit memorandum to the amount of the assessment which may be used for the payment of any water service to the extent of the said assessment.

(2) Acquisition by Eminent Domain

Section 2410 Appropriation of Lands and Waters Any borough desiring to erect water-works or to improve its water supply may appropriate springs streams rivers or creeks and lands easements and rights of way within or without its limits and for the purpose of conducting water obtained outside the limits of the borough may lay pipes under and over any lands rivers streams bridges highways and [across] under railroads. No water appropriated under the provisions of [the preceding] this section shall be used in such manner as to deprive the owner thereof of the free use and enjoyment of the same for domestic or farm purposes.

Section 2411 Agreements as to Damages Bonds Prior to any such appropriation the borough shall attempt to agree with the owner as to the damage done or likely to be done and if the parties cannot agree [or the owner cannot be found or is under legal incapacity] the borough shall file its bond in the court of common pleas conditioned for the payment to the owner of the property of the damages for the taking thereof when the same shall have been ascertained. Upon the approval of the bond and filing thereof the borough may enter upon such property.

Section 2412 Appointment of Viewers Proceedings Upon petition of either the property owner or borough at any time thereafter the court shall appoint three viewers from the county board of viewers who shall assess the damages for the property or rights appropriated and shall fix a time for their meeting of which notice shall be given to all parties interested. The proceedings for the assessment of damages shall be as provided in article fourteen of this act.

(3) Acquisition by Purchase after Appraisalment

Section 2415 Petition to Court Expressing Desire to Acquire Water-Works Whenever any person firm or any corporation shall own any water-works or system and a borough is desirous of owning and operating such water-works or system such borough may present its petition to the court of common pleas of the county setting forth that the borough is desirous of owning such water-works or system and that it will be necessary to issue bonds [to be secured by such water-works or system] and that a value should be placed upon such water-works or system including all property real and personal used in connection therewith.

Section 2416 Appointment of Engineers as Appraisers to Make Valuation The court shall thereupon appoint three civil engineers as appraisers to value and appraise such water-works or system and the property used in connection therewith and the contracts or agreements with municipalities or townships who shall file their report in the court within three months after their appointment unless such time be extended by the court.

Section 2417 Powers of Appraisers The appraisers shall have access to the books and records of the person firm or corporation owning such water-works or system to inform themselves as to the income and value thereof. They shall have power to administer oaths and are authorized

to take the testimony of witnesses. Their report shall be final if not appealed from.

Section 2418 Appeal from Appraisalment Within ten days after notice of filing of any report in court either party may appeal from such appraisalment alleging an undervaluation or overvaluation of the property and praying for a hearing before the court. The court shall thereupon fix a time when such appeal may be heard of which time at least ten days' notice shall be given to the parties and upon such hearing the court shall have power to affirm or modify such report [and either] as to it appears just and proper. Either party may appeal from the final confirmation of such report to the Superior or Supreme Court.

Section 2419 Effect of Failure of Owner of Works to Accept Price Fixed After the value is finally determined the borough is authorized to buy such water-works or system at the valuation so fixed and the person firm or corporation owning the same shall within ten days after notice file in court its consent to sell and convey its water-works or system and property to the borough at the valuation fixed and in default thereof such person firm or corporation shall cease to have any exclusive privilege of supplying the borough or the citizens thereof with water and the borough may install such water-works or system as may be necessary for the accommodation of the public.

Section 2420 Issue of Bonds For the purpose of such purchase the borough may issue [bonds which shall be secured solely by such waterworks systems and property and the revenues thereof and without any other liability on the part of such borough] utility or non-debt revenue bonds in the manner provided by the Municipal Borrowing Law.

Section 2421 Limit of Bond Issue Such bonds shall not exceed in amount the value fixed by the appraisers or the court. The proceeds of the sale of such bonds shall be used exclusively for the purpose of paying for the property acquired.

Section 68 Sections 2422 2423 and 2424 of said act of May 4 1927 (P. L. 519) be and the same are hereby repealed.

Section 69 Sections 2430 2431 2432 2435 and 2436 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows:

(4) Power to Lease Water-Works

Section 2430 Lease of Water-Works The council of any borough may [on behalf of such borough] enter into a contract with any private individual copartnership association or corporation for the leasing of any water supply works systems and property or both of such [private] individual copartnership association or corporation.

Section 2431 Term of Lease Rental The said leasing may be for such term of years and at such rentals as shall be agreed upon by the borough and the [private] individual copartnership association or corporation.

Section 2432 Operation of Property The property so acquired shall be operated in the same manner as if the same had been acquired by such borough by purchase or condemnation proceedings.

Section 2433 Rates The council of the borough with the consent of the Public [Service] Utility Commission shall fix the rates to be charged for the water furnished [within] without the limits of such borough to individuals copartnerships associations or corporations.

(5) Joint Water-Works

Section 2435 Joint Acquisitions and Constructions Two or more boroughs may unite or any borough may unite with a city or township in the construction or acquisition and maintenance of works for the supply of water.

Section 2436 Permit of Sanitary Water Board The construction of such water-works [, as provided for in the preceding section shall be after plans for such water-works have been filed with the State Commissioner of Health and a permit issued in accordance with the act

of Assembly of April twenty-second one thousand nine hundred and five page two hundred sixty entitled "An act to preserve the purity of the waters of the State for the protection of the public health"] shall be commenced only after plans for such water-works have been filed with the Department of Health and the Water and Power Resources Board and permits issued in accordance with law

Section 70 Article XXIV of said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto Section 2437 as follows

Section 2437 Joint Commission of Water Works The boroughs cities and townships joining in any such construction or acquisition and maintenance of works for the supply of water in order to facilitate the building operation and maintenance of the same and in securing preliminary surveys and estimates may by ordinance provide for the appointment of a joint commission of water works composed of one representative from each of the boroughs cities and townships joining which shall act generally as the advisory and administrative agency in the construction of such improvement and its subsequent operation and maintenance The members of such board shall serve for terms of six years each from the dates of their respective appointments and until their successors are appointed The commission shall organize by the election of a chairman secretary and treasurer The secretary and treasurer may be the same person The several boroughs cities and townships may in the ordinances creating the commission authorize it to appoint an engineer a solicitor and such other assistants as are deemed necessary and agree to share the compensation for attending its meetings as shall be fixed in the budget prepared by the commission and submitted to and adopted by the several boroughs cities and townships The budget item providing for the compensation to the members for attending meetings shall not exceed two hundred fifty dollars (\$250) per year but members in addition thereto shall be entitled to actual expenses to be paid by the respective boroughs cities and townships which such members represent The fee for each attendance at meetings shall be stipulated and no member shall be paid a fee for any meeting he does not attend

Section 71 Sections 2440 to 2492 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(6) Condemnation of Lands for Road Purposes and to Prevent Contamination

Section 2440 Overflowing Roads Acquisition of Lands to Reconstruct Roads Whenever any borough in supplying water to the public shall find it necessary in storing water to occupy and overflow with water portions of any [turnpike or] public road or whenever any public road leads into or crosses over any reservoir used for the storage of water the borough shall cause such [turnpike or] road to be reconstructed at its own expense on a favorable location and in as perfect manner as the original road and for such purposes is authorized to condemn land whenever an agreement as to the price cannot be had with the owners

Section 2441 Filing Maps and Plans After such change is made the borough shall file in the court of quarter sessions of the county a map or plan showing such change of road and shall furnish to the supervisors or other authorities of the township or municipal corporation a copy of such map

Section 2442 Condemnation of Lands to Prevent Contamination Boroughs may acquire by purchase or condemnation such lands along and contiguous to the streams of water or reservoirs from which water is taken for public use as may be necessary to preserve the same from contamination

Section 2443 Security for Payment of Damages No land shall be taken for the uses mentioned in this subdivision [of this article] until compensation therefor shall have been paid or secured before such taking injury or destruction

Section 2444 Condemnation Proceedings The damages incurred in changing the location of any such [turnpike or] public road and in condemning land to preserve water from contamination shall be ascertained in the manner provided in article fourteen of this act and shall be paid by the borough

(7) Commission of Water-Works

Section 2450 Commission May Be Established Whenever any borough owns and maintains water-works there may be established in such borough a commission of water-works to be composed of three citizens of the borough who shall be known as commissioners of water-works

Section 2451 Application To Court For Appointment Of Commissioners Any borough desiring to avail itself of the provisions of this [act] article so far as it relates to a commission of water-works shall by resolution passed by the council and recorded in its minutes apply to the court of common pleas of the county for the appointment of commissioners of water-works

Section 2452 Terms of Commissioners It shall be the duty of the court of common pleas upon application of any borough to appoint such commissioners of water-works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the court shall appoint one commissioner of water-works to serve a term of three years In case of a vacancy the court shall fill the same for the unexpired term

Section 2453 Rescinding Action After three years from the first appointment the borough may at any time rescind the resolution asking for the appointment of a commission of water-works When such resolution shall be rescinded the court shall make no further appointment of commissions until a resolution shall again be passed by a council asking for such appointment

Section 2454 Commissioners To Receive Expenses The commissioners of water-works shall not receive any salary for the services but shall be paid all [moneys necessarily expended] expenses necessarily incurred in the performance of their duty

Section 2455 Organization of Commissioners It shall be the duty of the commissioners of water-works to meet within ten days after their first appointment and annually thereafter and organize by electing a president and secretary

Section 2456 Powers of Commission After Organization the commissioners shall take charge and control of the water-works of such borough The commissioner shall have power to appoint all necessary officers and agents and take from them such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of such water-works and the erection of new water-works to collect water-rents and to make and establish the rates and conditions upon which water will be furnished to applicants therefor and to make by-laws and regulations for the economic and efficient management of such water-works

Section 2457 Issue of Bonds The borough may upon the request of the commissioners of water-works issue general obligation or non-debt revenue bonds for the extension of the water-works or the erection of new water-works Such bonds shall be designated "water-works bonds" and shall be [delivered to the commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and materials purchased The bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which such bonds were issued] issued and sold in the manner provided by the Municipal Borrowing Law

Section 2458 Plans and Specifications for the Improvements Contracts The commissioners shall prepare plans and specifications of all work to be performed and

materials necessary for the repair maintenance and extension of such water-works or the erection of new water-works and shall after plans and specifications for the extension or the erection of water-works have been submitted to and approved by the Sanitary Water Board and a permit granted therefor by the board invite proposals for the performing of such work and the furnishing of such materials and shall let contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 2459 Reports by Commission The commissioners shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of the water-works which shall be published by the council for the information of the public

Section 2460 Care of Funds The commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the commissioners. All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending such water-works and the erection of new water-works. All moneys remaining after such expenditures shall be used for the payment of any indebtedness on said waterworks and any indebtedness incurred by the borough for constructing maintaining improving enlarging or extending said water-works. Said moneys shall be used for no purpose other than as provided in this section. No money shall be drawn from such fund except upon order countersigned by the president and secretary of the commission

Section 2461 By-Laws and Regulations All by-laws and regulations relating to the management and operation of the waterworks and the supply of water to the public not inconsistent with the laws of the Commonwealth the rules and regulations of the Sanitary Water Board or the Water and Power Resources Board when made by the commissioners shall have the force and effect of ordinance of such borough

Section 2462 Government of Joint Works Whenever two or more boroughs or any borough and a city or township jointly construct and maintain water-works and desire to avail themselves of the provisions of this act so far as it relates to a commission of water-works the councils of such boroughs may join with the council of the city or commissioners or supervisors of such township after ordinance duly passed and apply to the court of common pleas of the county for the appointment of a commission of water-works in accordance with this subdivision of this article. Such commission shall be composed of citizens of each of the boroughs cities and townships so uniting

(b) Manufacture and Supply of Electricity

Section 2470 Manufacture and Purchase of Electricity Boroughs may manufacture or purchase electricity for the use of the inhabitants of such borough. Boroughs owning or operating electric light plants may make contracts for supplying electricity for commercial purposes outside the limits of such borough with the consent of the municipal and township authorities [at rates not less than those established from time to time within the limits of such borough]. Nothing in this section shall conflict with the corporate rights of any corporation empowered to supply electricity in territory adjacent to such boroughs or with the rights of any other borough. No person firm or corporation shall introduce electric current for light heat or power purposes without the consent of the borough authorities into the limits of any borough which is furnishing electric current to the inhabitants. Provided however That this section shall not apply to any person firm or corporation manufacturing electricity exclusively for its own use

Section 2471 May Regulate Use and Prices Boroughs furnishing electricity may regulate the use of electricity in dwelling houses storerooms and other places in such boroughs and the price to be charged for the same

Section 2472 Purchase of Electric Light Works Whenever any person copartnership or any electric light company organized under the laws of this Commonwealth is furnishing light to any borough or the public such borough is authorized to purchase the works of such person copartnership or corporation at such price as may be agreed upon by the borough and such person or copartnership or a majority in value of the stockholders of such corporation

Section 2473 Petition for Viewers Upon failure so to agree the borough may present a petition to the court of common pleas asking for the appointment of viewers to assess the value of the plant and works so taken whereupon the court shall appoint three viewers from the county board of viewers neither of whom shall be interested in such works or be stockholders in such corporation or taxpayers in such borough and shall appoint a time for their meeting of which ten days' notice shall be given to all parties in interest

Section 2474 Duty of Viewers The viewers having been sworn or affirmed justly and impartially to appraise the property and having viewed the premises and taken such testimony as may be offered by any party touching the value of the property and franchises they shall determine the amount of damages that such person copartnership or corporation will sustain and to whom payable and make report thereof to the court which report [having been confirmed by the court judgment shall be entered thereon] shall be confirmed "nisi" by the court and if no appeal is taken as hereinafter provided shall be confirmed absolutely

Section 2475 Appeal from Report Either party may at any time within thirty days after the confirmation "nisi" of any such report appeal therefrom to the court of common pleas of the county

Section 2476 Trial by Jury After such appeal either party may put the case at issue in the form directed by the court and the same shall be tried before a jury. After final judgment either party may have an appeal to the Superior or Supreme Court

Section 2477 Exceptions to Report If any exceptions are filed with any appeal they shall be speedily disposed of and if allowed a new view shall be ordered but if disallowed the appeal shall proceed as before provided

Section 2478 Notices The court shall have power to order what notice shall be given in connection with any part of such proceedings

Section 2479 Vote on Increase of Indebtedness Before any borough shall construct an electric light plant or purchase the property of any person copartnership or electric light company the question of the increase of the debt of such borough for any of such purposes shall first be submitted to the qualified voters of the borough in the manner provided by law for the increase of indebtedness of municipal corporation

(c) Operation of Gas Wells for Municipal Purposes

Section 2485 Any borough shall authority to purchase own use operate and control any natural gas well or wells within the limits of such borough or in the vicinity thereof for the purpose of supplying natural gas for its own municipal purposes the expense thereof to be paid out of the revenue of such borough

(d) Airports

Section 2490 Authority to Secure Lands for Airports All boroughs are hereby authorized and empowered to acquire by lease or purchase any land lying either within or without the limits of such boroughs which in the judgment of the corporate authorities thereof may be necessary and desirable for the purpose of establishing and maintaining municipal airdromes aviation landing fields and airport facilities

The proceedings for the condemnation of lands under the provisions of this act and for the assessment of damages for property taken injured or destroyed shall be conducted in the manner provided by article fourteen of

the act to which this is an amendment The title acquired by the borough exercising the power of condemnation shall be a title in fee simple

Section 2491 Authority to Establish Airports and Lease The Same Any borough of this Commonwealth acquiring land under the provisions of this [act] article is authorized and empowered to establish equip condition operate and maintain the same as a municipal airport landing field or intermediate landing field and may lease the same or any part thereof to any individual or corporation desiring to use the same for aviation purposes and any borough [of this Commonwealth] may enter into a contract in the form of a lease providing for the use of said land or any part thereof by the Government of the United States for the use by said Government of said land for aviation purposes upon nominal rental or without consideration

Section 2492 Joint Airports Any borough acquiring land under the provisions of this act is authorized and empowered to acquire by lease or purchase land for aviation purposes as hereinbefore provided jointly with any county city borough township or political subdivision of this Commonwealth and is hereby authorized and empowered to operate and maintain said airport airdrome landing field or intermediate landing field jointly with any county city borough township or other political subdivision of this Commonwealth upon such terms and conditions as may be agreed upon between the proper authorities of the county city borough township or other political subdivision of this Commonwealth

Section 71.1 Section 2493 of Said Act be and the Same is Hereby Repealed

Section 72 Sections 2501 2502 2503 and 2504 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXV

Public Buildings and Works

(a) Eminent Domain General [Powers] Provisions

Section 2501 Exercise of Eminent Domain Boroughs may enter upon and appropriate private property and also land heretofore granted or dedicated to public use or other use and which is no longer used for the purpose for which the same was granted or dedicated and also lands where the title is defective disputed or doubtful for the erection thereon of such public buildings and works as are necessary for municipal purposes within the limits of such borough

Section 2502 Lands Excepted No land or property used for any cemetery burying-ground or place of public worship shall be taken or appropriated by virtue of any power contained in the preceding section of this article

Section 2503 Declaration of Intention Whenever the municipal authorities desire to acquire enter upon take use and appropriate any such private property or lands for any of such purposes they shall declare such intention by an ordinance duly enacted

Section 2504 Proceedings The compensation and damages arising from such taking using and appropriating of private property for the purposes aforesaid shall be considered ascertained determined awarded and paid in the manner [hereinafter] provided in article fourteen of this act

Section 73 Sections 2505 2506 2507 2508 and 2509 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 74 Section 2510 of said act of May 4 1927 (P. L. 519) is hereby renumbered Section 2505 and is reenacted as follows

Section [2510] 2505 Payment of Damages and Costs All damages when ascertained the costs of the viewers and all court costs incurred in such proceedings including advertising printing and posting notices shall be paid by the borough

Section 75 Section 2511 of said Act of May 4 1927 (P. L. 519) be and the same is hereby repealed

Section 76 Subdivision (b) of Article XXV and Sections

2520 2521 and 2522 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

(b) Garbage [and Treatment Works] Plants

Section 2520 Power to Purchase Real Estate Any borough separately or [two or more boroughs] jointly [including the right also of such boroughs to join] with [a] another borough city or township [or townships] may purchase any real estate within or without the borough limits of any such borough cities or townships upon which to erect and maintain garbage or incinerating [furnaces and sewage-treatment works with the necessary filterbeds appliances drains and sewers] plants

Section 2521 Approval of Site Boroughs desiring to locate any garbage or incinerating plant shall first apply separately or jointly as the case may be to the court of common pleas for its approval of the location thereof whereupon the court shall fix a date when objections to the location will be heard and shall prescribe what notice of such hearing shall be given If at the time fixed for such hearing no objections shall be made to such location the same shall be approved but if objection [be] is made then the court shall proceed to hear the matter and determine whether the location is a detriment to neighboring properties The finding of the court shall be conclusive but shall in no way adjudicate any question relating to damages for injury to property

Section 2522 Proceedings Where Owner Unknown In case the borough or boroughs cannot agree with the owner of such property as to the price [or in case the owner is absent or incapacitated from any cause or is unknown by reason of which no agreement can be made] the borough or boroughs separately or jointly may take and appropriate for any of such purposes any real estate after an ordinance or ordinances shall have been passed providing for such taking and appropriating

Section 77 Sections 2523 2524 2525 and 2526 of said Act of May 4 1927 (P. L. 519) be and the same are hereby repealed

Section 78 Section 2527 of said Act of May 4 1927 (P. L. 519) is hereby renumbered Section 2523 and is reenacted revised and amended to read as follows

Section [2527] 2523 Proceedings The proceedings before [such] the viewers for the [allowance] assessment of damages for property taken injured or destroyed under this article and the proceedings upon their report shall be as provided in article fourteen of this act

Section 79 Sections 2601 and 2602 of said Act of May 4 1927 (P. L. 519) are hereby reenacted and amended to read as follows

Article XXVI

Wharves and Docks

Section 2601 Power with Regard to Wharves And Docks Boroughs may erect and repair wharves and docks regulate and fix the rate of wharfage for all public wharves and docks within their limits and enforce the collection of wharfage for the use of the same and also regulate the anchoring of vessels boats or rafts within their limits and the depositing of freight on such public wharves

Section 2602 Purchase and Condemnation of Real Estate Boroughs may acquire by purchase or condemnation such real estate as they may need for the construction of wharves and docks within the limits of such boroughs along navigable [streams] waters No real estate for the erection of wharves and docks shall be so taken or appropriated until an ordinance authorizing the same shall have been passed and approved

Section 80 Sections 2603 2604 2605 2606 2607 2608 2609 and 2610 of said Act of May 4 1927 (P. L. 519) are hereby repealed

Section 81 Sections 2611 2612 2613 2614 2615 and 2616 of said act are respectively renumbered Sections 2603 2604 2605 2606 2607 and 2608 and are hereby reenacted revised and amended to read as follows

Section [2611] 2603 Proceedings The proceedings before [such] the viewers for the [allowance] assessment of damages for property taken injured or destroyed under

this article and the proceedings on their report shall be as provided in article fourteen of this act. The costs of all proceedings including the compensation of the viewers shall be paid by the borough.

Section [2612] 2604 How Damages Assessed The damages for the taking or injury of any property for use as a wharf pier or bulkhead shall include full compensation for the value of the property taken or injured and if the property so taken or injured shall constitute a part of a plant used as an entirety the damage to the owner or tenant shall be assessed by taking the difference in market value of such plant as a whole including buildings and all equipments installed and used in such plant before and after taking or [injuries] injury and notwithstanding that part of such plant may be separated by a highway.

Section [2613] 2605 Leases Boroughs may lease any wharf or part thereof and collect rent therefor by distress or otherwise. No one term of any such lease shall be for a longer period than three years.

Section [2614] 2606 Market-Houses and Terminal Sheds Boroughs may erect and maintain market-houses and terminal sheds on wharves for the receipt and distribution of freight and express [hailed by boats railroads and street cars] Boroughs may also construct railroad and street railway tracks or other facilities on wharves to provide for the convenient hauling of such freight or express matter and collect rents tolls or charges for the use of such market-houses terminal sheds tracks and facilities. No permit other than a license revocable at will shall be granted and no exclusive permit for the use of such facilities shall be granted.

Section [2615] 2607 Public Use Preserved No structure erected and no right granted under the powers conferred by any of the preceding sections of this article shall interfere with the public use of wharves for [river] water-borne commerce.

Section [2616] 2608 Saving Clause Nothing contained in this article shall be construed as conferring upon boroughs any power conferred by existing law on the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries or to permit boroughs to do any act or to enact any ordinance inconsistent with the laws relating to said board or the rules and regulations of said board.

Section 82 Sections 2701 to 2708 inclusive of this act are hereby reenacted revised and amended to read as follows:

Article XXVII

Parks Shade Trees Forests

(a) Parks and Playgrounds Et Cetera

Section 2701 Power to Maintain and Improve [Borough] Boroughs may provide improve maintain and regulate public parks parkways and playgrounds playfields swimming pools public baths bathing places indoor recreation centers and gymnasiums hereinafter called recreation places within the borough limits or in adjacent townships. Two or more boroughs may jointly provide improve maintain and regulate [public parks parkways and playgrounds and playfields including swimming pools bathing places indoor recreation centers and gymnasiums] such recreation places within the limits of any township adjacent to any one of such boroughs. All expenses relative thereto shall be borne by the respective boroughs in such proportion as may be agreed upon by the councils thereof.

Section 2702 Power to Acquire Boroughs may enter upon appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of the borough or in adjacent townships or any borough may designate and set apart any lands or buildings owned by the borough and not dedicated or devoted to other public uses and two or more boroughs may jointly appropriate and acquire by gift devise purchase lease or otherwise private property within the limits of any township adjacent to either of such boroughs for the purpose of making enlarging and maintaining [public parks parkways and playgrounds playfields swimming pools public baths bathing places indoor recreation centers and gymnasiums] recreation places. All the costs and expenses

relative to any such property acquired by two or more boroughs jointly shall be paid by the respective boroughs in such proportions as may be agreed upon by the councils thereof.

Boroughs may likewise acquire private property within the limits of another borough or city for the purposes designated in this section if the other borough or city shall by ordinance signify its consent thereto.

Section 2703 Limit on Obligations No appropriation purchase or lease shall be made pursuant to the preceding sections whereby any borough shall within any period of three years obligate itself to pay in the aggregate any sum exceeding one and one-half mills on the dollar on the assessed valuation of all property offices professions and persons in the borough upon which [county] borough taxes are [rated and] levied without the consent of a majority of the electors obtained as hereinafter provided. Provided [however] That no such election shall be required in any case where the question of the increase of indebtedness of the borough for any of the foregoing purposes shall have been submitted to and assented to by a majority of the electors of the borough voting on such question at an election held according to law.

Section 2704 Submission to Voters Whenever any borough shall by ordinance provide for the appropriation purchase or leasing of private property for the purpose aforesaid and the value of such property or the rental thereof shall alone or when added to the amount of liability incurred for any of the purposes aforesaid within the preceding three years exceed one and one-half mills on the dollar of valuation as provided in the preceding section and the question of the increase of indebtedness of the borough for any of said purposes has not been submitted to and assented to by a majority of the electors voting on such question at an election held for the purpose of obtaining such assent according to law the council shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the borough at an election to be held at the places of holding elections in said borough on a day to be fixed by council which shall be the day of a general municipal or primary election.

Section 2705 Notice of Election The council shall give notice of the proposed submission of such question by weekly advertisements in not more than three newspapers published in the borough and if no such newspapers are published in the borough then in such newspapers circulating in the borough for a period of four weeks immediately preceding the day of election [and if no newspapers be published therein by twenty printed handbills posted in conspicuous places at least twenty-one days prior to such election].

Section 2706 Question to be Submitted For the purpose of having such question appear upon the ballot the council shall certify the question to the county [commissioners] board of elections at least twenty-one days before the day of election. The question may be stated substantially as follows:

"Shall the borough of acquire by purchase or condemnation or both at a price not exceeding dollars (or by lease for not more than years at an annual rental of not more than dollars) property for the purpose of making (or of enlarging) public parks parkways and playgrounds and playfields including swimming pools bathing places indoor recreation centers and gymnasiums within the locality bounded by"

The council may at their discretion omit the designation of the locality.

Section 2707 Result of Submission to Voters The result of the vote on such question shall be ascertained and certified in the manner provided by the election laws of this Commonwealth. No such question determined negatively by the voters shall be again submitted within fifty-one weeks.

Section 2708 Appropriation for Public Purposes The appropriation of private property for the purpose of making enlarging and maintaining [public parks park-

ways and playgrounds and playfields including swimming pools bathing places and gymnasiums] recreation places is declared to be the taking of private property for public use and for all damage suffered by the owners of any property so taken the funds of the borough raised by taxation shall be pledged as security

Section 83 Section 2709 2710 2711 and 2712 of said act of May 4 1927 (P L 519) are hereby repealed

Section 84 Section 2713 of said act of May 4 1927 (P. L. 519) is hereby renumbered Section 2709 and is reenacted and amended to read as follows

Section [2713] 2709 Proceedings The proceedings before the viewers for the assessment of damages for property taken injured or destroyed under this article and the proceedings upon their report shall be as provided in article fourteen of this act

Section 85 Sections 2714 and 2715 of said act of May 4 1927 (P L 519) are hereby repealed

Section 86 Sections 2716 2717 2718 2719 2720 2721 2722 2723 2724 and 2725 of said act are hereby renumbered respectively 2710 2711 2712 2713 2714 2715 2716 2717 2718 and 2719 and are hereby reenacted revised and amended to read as follows

Section [2716] 2710 Validation of Prior Acquisitions Whenever prior to the first day of June one thousand nine hundred and eleven any borough acquired land outside its corporate limits for park purposes such borough may own and possess such land for park purposes and is authorized to lay out and maintain the same and to appropriate money to defray expenses incident to such work

Section [2717] 2711 Plan of Parks and Playgrounds Every borough shall have a general plan of its parks and playgrounds which plan shall be filed in the office of the engineer or other proper officer of the borough. All subdivisions of property thereafter made shall conform thereto. The location of parks and playgrounds laid out and confirmed by the borough council shall not afterwards be altered without the consent of council and no map or plot of parks or playgrounds shall be entered or recorded in any public office of the county until approved by the borough council

Section [2718] 2712 No Damages for Building Within Lines No person shall recover any damages for the taking for public use of any buildings or improvements of any kind placed or constructed upon or within the lines of any located park or playground after the same has been located by the borough council

Section [2719] 2713 Creation of Recreation Board The authority to supervise and maintain [playgrounds playfields gymnasiums public baths swimming pools or indoor recreation centers] recreation places may be vested in any existing body or board or in a recreation board as the borough council shall determine. The corporate authorities of any such borough may equip operate and maintain the [playgrounds playfields gymnasiums swimming pools bathing places public baths or indoor recreation centers] recreation places as authorized by this act. Such authorities may for the purpose of carrying out the provisions of this article employ play leaders recreation directors supervisors superintendents or any other officers or employees as they deem proper

Section [2720] 2714 Composition of Board If the borough council shall determine that the power to equip operate and maintain [playgrounds playfields gymnasiums public baths bathing places swimming pools or recreation centers] recreation places shall be exercised by a recreation board they may establish in said borough such recreation board which shall possess all the powers and be subject to all the responsibilities of the respective authorities under this article. Such board when established shall consist of five persons and when established in a borough having a school board two of the members [shall] may be members or appointees of the school board. The members of the board shall be appointed by the [burgess] council of such borough and shall serve for terms of five years or until their successors are appointed except that

the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter. Members of such board shall serve without pay. Women shall be eligible for appointment. Vacancies in such board occurring otherwise than by expiration of term shall be filled for the unexpired term [and shall be filled] in the same manner as original appointments

Section [2721] 2715 Organization of Board Employees The members of a recreation board established pursuant to this article shall elect their own chairman and secretary and select all other necessary officers to serve for a period of one year and may employ such persons as may be needed as authorized by this [act] article. Such board shall have power to adopt rules and regulations for the conduct of all business within its jurisdiction

Section [2722] 2716 Joint Ownership and Maintenance Any two or more boroughs or a borough with any city or township or a borough with a county may jointly acquire property for and operate and maintain any [playgrounds playfields gymnasiums public baths bathing places swimming pools or indoor recreation centers] recreation places. Any school district shall have power to join with any borough or boroughs in equipping operating and maintaining [playgrounds playfields gymnasiums public baths swimming pools and indoor recreation centers] recreation places and may appropriate money therefor

Section [2723] 2717 Issue of Bonds The borough council may issue general obligation bonds for the purpose of acquiring lands or buildings for [playgrounds playfields gymnasiums swimming pools public baths or indoor recreation centers] recreation places and for the equipment thereof

Section [2724] 2718 Maintenance and Tax Levy All expenses incurred in the operation of such [playgrounds playfields gymnasiums swimming pools public baths bathing places and indoor recreation centers] recreation places established as herein provided shall be payable from the treasury of such borough or boroughs township city county or school district as may be provided for by agreement of the corporate authorities. The local authorities of such borough [or school district] having power to appropriate money therein may annually appropriate and cause to be raised by taxation such tax not to exceed two mills on the dollar of the assessed valuation of taxable property in such borough [or school district] for the purpose of maintaining and operating [playgrounds playfields gymnasiums public baths bathing places swimming pools and recreation centers] recreation places

Section [2725] 2719 Lease for School Athletics Any borough maintaining a park or parks may lease a part or all of any such park suitable for athletic sports and athletic games to any school board or school athletic association organized by a school board and organized for the purpose of conducting amateur athletic sports and games among pupils of the public school and may permit such school board or school athletic association organized by a school board to charge admission to such sports and games and to deny persons refusing to pay admission access to the grounds where such sports or games are being conducted if such sports and games are not conducted for individual profit. All such leases heretofore made by any borough or park or recreation board acting for a borough are hereby ratified confirmed and made valid

Section 87 Sections 2730 to 2757 inclusive of said act of May 4 1927 (P L 519) are hereby reenacted revised and amended to read as follows

(b) Shade Trees

(1) Shade Tree Commission

Section 2730 Shade Tree Commission [Borough] A borough by ordinance may establish a commission to be known as the Shade Tree Commission [of such borough]

Section 2731 Composition of Commission The commission shall be composed of three [freeholders] residents of the borough who shall be appointed by the burgess and shall serve without compensation

Whenever a shade tree commission is established by any

borough the burgess shall appoint [three freeholders] one member for a term of three years one for a term of four years and one for a term of five years

On the expiration of the term of any commissioner a successor shall be appointed by the burgess to serve for a term of five years

Vacancies in the office of commissioner shall be filled by the burgess for the unexpired term

Section 2732 Powers may be Vested in Park Commission Whenever in any borough there exists a commission for the care of public parks the council may by ordinance [accept the provisions of this article so far as it relates to the subject of the shade tree commission and thereafter] confer on the park commission [shall have] all the powers and [be subject to] all the duties prescribed by this article for the shade tree commission

Section 2733 Powers of Commission The commission shall have exclusive custody and control of the shade trees in the borough and is authorized to plant remove maintain and protect shade trees on the public highways in the borough

The commission may employ and pay such superintendents engineers foresters tree-wardens or other assistants as the proper performance of the duties devolving upon it shall require and may make publish and enforce regulations for the care and protection of the shade trees of the borough No such regulation shall be in force until it has been approved by the council and until it has been published at least twice in [one or] not more than two newspapers of general circulation published in the borough and if no newspapers are published in the borough then in such newspapers circulating in the borough

Section 2734 Report of Commission The shade tree commission shall annually report in full to the burgess its transactions and expenses for the last fiscal year of the borough The park commission [in boroughs accepting this article] may incorporate such transactions and expenses in its regular report to council

Section 2735 Notices by Commission Whenever any shade tree commission or park commission [in boroughs accepting this article] propose to plant transplant or remove shade trees on any [highway] street notice of the time and place of the meeting at which such work is to be considered shall be given in [one or more] not more than two newspapers published in the borough and if no such newspapers are published in the borough then in such newspapers circulating in the borough once a week for two weeks immediately preceding the time of the meeting The notice shall specify in detail the [highways] streets or portions thereof upon which trees are proposed to be so planted replanted or removed

Section 2736 Payment by Owners The cost of planting transplanting or removing any shade trees in the [highways] streets of the borough of the necessary and suitable guards curbing or grading for the protection thereof and of the replacing of any pavement or sidewalk necessarily disturbed in the execution of such work shall be paid by the owner of the real estate in front of whose property the work is done

The amount each [freeholder] owner is to pay shall be ascertained and certified by the commission to council and to the borough treasurer

Section 2737 Assessments Liens Upon the filing of the certificate with the council the secretary of the borough shall cause thirty days' written notice to be given to the persons against whose property an assessment has been made The notice shall state the amount of the assessment and the time and place of payment and shall be accompanied with a copy of the certificate

The amount assessed against the real estate shall be a lien from the time of the filing of the certificate with the council and if not paid within the time designated in the notice a claim may be filed and collected by the borough solicitor in the same manner as municipal claims are filed and collected

Section 2738 Maintenance by Borough Tax Levy The

cost and expenses of caring for such trees after having been planted and the expense of publishing the notice [provided in the preceding section] hereinbefore provided for shall be paid by the borough

The needed amount shall each year be certified by the commissioners to the borough council and shall be drawn against as required by the commission in the same manner as money appropriated for borough purposes

The borough council may levy a general tax not to exceed the sum of one-tenth of one mill on the dollar on the assessed valuation of the property in said borough for the purpose of defraying the cost and expenses of caring for such shade trees and the expense of publishing the notice [provided in the preceding section of this article] or it may provide for the expense of the caring for trees already planted and of publishing the notice [required by the preceding section of this article] by appropriations equal to the amount certified to be required by the commission

Section 2739 Penalties The commission to the extent as may be provided by ordinance of the borough may assess penalties for the violation of its regulations and of this article so far as it relates to shade trees Any penalty so assessed shall be a lien upon the real estate of the offender and may be collected as municipal claims are collected

All penalties or assessments imposed under this article shall be paid to the borough treasurer to be placed to the credit of the commission subject to be drawn upon by the commission for the purposes of the preceding sections of this article

(2) Power of Boroughs as to Shade Trees

Section 2745 Ordinances to Require Planting and Replanting Boroughs may by ordinance upon the petition of a majority of the property owners upon any public street thereof require the planting and replanting of suitable shade trees along and upon the sides of such streets upon such alignment and at such points as may be designated by such ordinance [designated] by the owners of property abutting the street at the points designated This section does not authorize boroughs to require the planting or replanting of trees at any point which may interfere with the necessary or reasonable use of any street or abutting property or unreasonably interfere with any business conducted thereon

Section 2746 Power of Borough Where owners Fail to Comply On failure of any owner after reasonable notice to comply with the terms of any such ordinance the borough may cause such trees to be planted or replanted at the expense of the borough and thereupon in the name of the borough collect the cost of such work from the owners in default as debts of like amount are by law collected

(c) Forests

Section 2750 Acquisition of Land for Forest Purposes Boroughs may acquire by purchase gift or lease and hold tracts of land covered with forest or tree growth or suitable for the growth of trees and administer the same under the direction of the [commissioner of forestry] Department of Forests and Waters in accordance with the practices and principles of scientific forestry for the benefit of the borough Such tracts may be of any size suitable for the purpose and may be located within or without the borough limits

Section 2751 Approval of [Secretary] Department of Forests and Waters Before the passage of any ordinance for the acquisition of land to be used as municipal forests the burgess shall submit to the [Secretary] Department of Forests and Waters and secure [his] its approval of the area and location of such land

Section 2752 Ordinance Declaring Intention Whenever the council of any borough deems it expedient to acquire any lands for the purposes of municipal forests it shall so declare in an ordinance wherein shall be set forth all facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage]

Section 2753 Appropriations of Money All money necessary for the purchase of such tracts shall be appropriated in the same manner as appropriations for borough purposes and such funds may be provided from the current revenue or by the proceeds of a sale of general obligation bonds in accordance with existing law

Section 2754 Rules and Regulations Upon the acquisition of any municipal forests and lands suitable [for such] therefor the council shall notify the [Secretary] Department of Forests and Waters [who] which shall make such rules for the government and proper administration of the same as may be deemed necessary and the council shall publish such rules declare the uses of the forest in accordance with the intent of this article and make such provision for its administration maintenance protection and development as shall be necessary or expedient The rules governing the administration of such forests shall have for their main purpose the producing of a continuing borough revenue by the sale of forest products

Section 2755 Appropriations and Revenues All moneys necessary to be expended for the administration maintenance protection and development of such forests shall be appropriated and applied as is now done for borough purposes all revenue and emoluments arising from such forests shall be paid into the borough treasury to be used for general borough purposes

Section 2756 Use of Forests Municipal forests may be used by the public as general outing or recreation grounds subject to the rules of the Department of Forests and Waters governing their administration as municipal forests and rules adopted by the council of the borough not inconsistent with law or the regulations of the department

Section 2757 Ordinance of Sale Whenever the council of any borough deems it expedient to [alienate] sell or lease any municipal forest or part thereof or products therefrom it shall so declare in an ordinance wherein shall be set forth all the facts and conditions relating to the proposed action [which proposed ordinance shall be advertised once a week for three weeks prior to its passage] No ordinance for the sale or lease of a municipal forest or part thereof shall be effective in legalizing such [alienation] sale or lease until it has been approved by a majority vote of the people at the next ensuing general municipal or primary election

Section 88 Article XXVIII and Sections 2801 to 2817 inclusive of said act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXVIII

Burial Grounds

Section 2801 Powers of Borough Boroughs may prohibit within their limits or within any described territory within such limits the burial or interment of deceased persons and may regulate the depth of graves

Section 2802 Management by Commission Transfer from Borough to Company When the title and management of any burial ground is vested in a borough the council of such borough may in its discretion vest the care management and operation of such burial ground in a commission of three citizens to be appointed by the borough council such care management and operation and the terms of the commissioners to be as provided in the ordinance of the council [upon] Upon petition of ten lot owners in such burial ground the council may in its discretion transfer such burial ground and the management thereof to an incorporated cemetery company in the manner hereinafter provided

Section 2803 Vesting Title Upon the presentation to council of such petition the council may pass an ordinance declaring that upon the acceptance of the provisions of such ordinance by the incorporated cemetery company filed with the borough secretary the title and control of such burial ground shall vest in such incorporated cemetery companies

Section 2804 [Acceptance of Corporation The secretary of the borough shall record the acceptance of any such

incorporated cemetery company in the ordinance book of the borough and al Recording of Ordinance and Acceptance A copy of the ordinance and the acceptance thereof certified by the burgess and secretary of the borough shall be recorded in the office of the recorder of deeds of the county

Section 2805 Orders of Court As to Neglected Cemeteries Authority is vested in the court of quarter sessions to make such orders for the regulation of burial grounds situated in and adjacent to boroughs as the public good shall require and when any burial ground shall become so neglected as in the opinion of the court to become a public nuisance the court may direct the removal of the dead therefrom by the borough authorities to some other burial ground

Section 2806 Transfer from Company to Borough Upon the petition of any incorporated cemetery company and a majority of the taxables of any borough the court of quarter sessions may authorize the transfer of any cemetery to the authorities of any borough in which such cemetery may be located or be adjacent thereto

Section 2807 Powers of Boroughs Such transfer shall be made without cost to the borough and upon being made the borough authorities shall exercise the powers and privileges of such incorporated company and may purchase lands within or beyond the borough limits not to exceed thirty acres for the extension of such cemetery and may raise the means to pay for the same by the sale of lots or otherwise but in no event by taxation they may lay out lots so purchased and alter the original plot of such cemetery and may dispose of such grounds in the same manner as such incorporated company could have done

Section 2808 Deeds to Lots A deed for any lot made by the burgess shall be of the same validity as the deeds of such incorporated cemetery company and the burgess is authorized to make deeds to those who theretofore purchased lots but have not been furnished with deeds by the cemetery company

Section 2809 Removing Bodies to Alter Plots In altering the plot of any such cemetery the bodies may be removed and reinterred in a suitable place but without cost to surviving relatives [or friends]

Section 2810 Removal of Bodies to Other Cemeteries Whenever any burial ground privately owned and in charge of no person [or persons] or any burial ground in charge of any religious society or church [or in charge of no one] has ceased to be used for interments or has become so neglected as to become a public nuisance or when such [cemetery] burial ground hinders the improvements and progressive interests of any borough or is desired by the borough for any free public library building or for any other public purpose the court of quarter sessions of the county upon petition of the managers of such [cemetery] burial ground or upon the petition of fifty residents in the vicinity in case such [cemetery] burial ground is not in charge of anyone setting forth that the improvements and progressive interests of such boroughs are hampered and the welfare of such borough is injured or upon the petition of such borough setting forth that such [cemetery] burial ground is desired by the borough for the erection thereon of a free public library building or for use as recreation [centers or municipal playgrounds] places or the opening laying out or extension through said land of any street [or highway] or for any other public purpose and after three weeks of advertisement may direct the removal of the remains of the dead from such burial ground

Section 2811 Applications for Removal No application as provided in the preceding section shall be made by the managers of any cemetery in charge of any society or church except in pursuance of the wishes of a majority of the members of such society or church expressed at a meeting held for that purpose after two weeks' public notice

Section 2812 Removals How Made Such removal shall be made by the managers of such cemetery or by the bor-

ough when such cemetery is in charge of no one in a careful manner at the expense of the party making such removal to such other burial ground as may be selected or if so desired by relatives or friends to some cemetery in the immediate vicinity

Section 2813 Notice of Removal The parties making such removal shall publish for two successive weeks in two daily or weekly newspapers of the borough or [county] circulating in the borough a notice declaring their intention to remove such remains

Section 2814 Removal by Relatives and Friends Relatives and friends of such dead may remove such remains at any time during such proceedings at their own expense before removal by the managers

Section 2815 Care in Removal All bodies when so removed shall be placed in separate caskets and graves and the markers placed by the remains of such bodies shall be taken by the person authorized to make such removal and placed as near as can be in the same relative position as before removal

Section 2816 Right to Use Property from which Bodies Removed After the removal of all dead bodies from such burial grounds the said land shall cease to be a cemetery or burial ground for all and any purpose whatsoever and may be acquired by the municipality or school district thereof as other lands are acquired for municipal or school purposes

Section 2817 Purchase of Plots for Burial of Deceased Service Men Any borough may purchase plots of ground in any cemetery or burial ground within its limits for the interment of such deceased [service men] members of the armed forces as have heretofore died or shall hereafter die within such borough or shall die beyond such borough and shall have a legal residence within such borough at the time of their death and whose bodies are entitled to be buried by the county under the provisions of [the act approved the tenth day of May one thousand nine hundred and twenty-one (P. L. 473) entitled "An act providing for the burial of certain persons who are have been or shall be soldiers sailors or marines designated as 'deceased service men' defining the term 'deceased service men' and authorizing county commissioners to provide headstones markers and burial plots for such deceased service men at the expense of the county in which they shall die or have a legal residence at the time of their death" or any reenactment thereof] existing law Such plots of ground shall be paid for out of the treasury of such borough

Section 89 Article XXIX and Sections 2901 2905 2910 2912 2915 2920 2921 2922 and 2923 of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXIX

Licenses and License Fees

(a) Auctioneers

Section 2901 Boroughs may regulate and license persons and firms engaged in the business of auctioneering within the limits of any such borough and fix the amount to be paid for such license Such license shall be in addition to all other licenses required by law The provisions of this section shall not apply for a space of three months to persons or firms regularly engaged in business in boroughs who may desire to reduce their stock or retire from business

(b) Foreign Dealers

Section 2905 Boroughs may license foreign dealers in merchandise or their agents having no permanent place of business in such boroughs but temporarily engaged in selling merchandise either by wholesale or by retail Such license shall not exceed the amount imposed on resident merchants engaged in like business The provisions of this section shall not apply to sales by sample

(c) Transient Retail Merchants

Section 2910 Licensing Transient Retail Business Every borough shall have power by ordinance to regulate and

license each and every transient retail business within such borough for the sale of goods wares [and] or merchandise and to prohibit the commencement or doing of any such business until or unless the license required by such ordinance has been procured from the proper authorities by the person firm or corporation desiring to commence such transient retail business and to enforce such ordinances by penalties not exceeding three hundred dollars [and] or by other appropriate means The amount of any such license shall not exceed two hundred dollars for each month or fractional part thereof during which any such sale is continued

Nothing contained in this act shall be construed to apply (1) to farmers selling their own produce (2) to the sale of goods wares and merchandise donated by the owners thereof the proceeds whereof are to be applied to any charitable or philanthropic purpose or (3) to any manufacturer or producer in the sale of bread and bakery products meat and meat products or milk and milk products

Section 2912 Commonwealth Licenses Saved Nothing contained in [the preceding sections] section 2910 shall be construed to relieve any person partnership or corporation from the duty of taking out a license or from the payment of any license tax imposed or authorized by any other statute of this Commonwealth

(d) Vehicles

Section 2915 License of Vehicles as Carriers Boroughs may enact ordinances establishing reasonable rates of license fees on all vehicles used in carrying persons or property for pay and may regulate the operation [and compensation] of such vehicles within the limits of such boroughs [or between any such borough or other points]

(e) Restrictions

Section 2920 Farmers It shall be unlawful for any borough to levy or collect any license fee from any person who sells in or about the streets of any borough vegetables or animal products raised on his or her own land

Section 2921 Persons Taking Orders It shall be unlawful for any borough to levy any license fee or mercantile tax upon any persons taking orders for merchandise by sample from dealers or merchants for individuals or companies who pay a license or mercantile tax at their chief places of business Nothing in this section shall authorize any person to sell by retail to others than dealers or merchants

Section 2922 Equality of Residents and Non-Residents It shall be unlawful for any borough to impose by ordinance or exact or collect under the provisions of any ordinance heretofore or hereafter enacted any license tax or fee upon or from any manufacturer or the agent representative or employe of any manufacturer who is a resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured within this Commonwealth that is not or cannot legally be imposed upon or exacted or collected from any manufacturer or dealer or the agent representative or employe of any manufacturer who is a non-resident of the Commonwealth for soliciting orders for or for selling any goods merchandise or wares manufactured without the Commonwealth

Section 2923 Insurance Business It shall be unlawful for any borough to impose or collect any license fee upon insurance companies or their agents or insurance brokers authorized to transact business under the laws of the Commonwealth

Section 90 Article XXX and Sections 3001 to 3006 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXX

Real Estate Registry

Section 3001 Real Estate Registry Established For the purpose of procuring accurate information in reference to the ownership of real estate the council of each borough may provide by ordinance for a registry thereof

Section 3002 Duties of Borough Secretary The secretary of [such] any borough in which [such] a registry shall be established shall under the direction of the council cause to be made all necessary books maps and plans as will show the situation and dimensions of each property thereon which books maps or plans shall be so prepared as to show the location and the name of the owner or owners thereof with blank spaces for the name of the owner of each lot and with provisions for the names of future owners and the dates of future transfers of title

Section 3003 Access to Public Records For the purpose of establishing such registry the secretary shall have access without charge to any public records wherein the necessary information may be obtainable and may also cause a search to be made in other places for any muniments or evidences of title not reported to him as herein provided and requisite for the completion of such books maps or plans

Section 3004 Keeping of Records [Said] The registry books maps and plans shall be carefully preserved and shall be so kept by additions from time to time as to show the ownership of every lot or piece of real estate or subdivision thereof within the limits of [such] the borough with the succeeding transmissions of title from the time of the commencement of such plans but nothing contained therein shall at any time invalidate any municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 3005 Duties of Owners of Real Estate It shall be the duty of all owners of real estate within the limits of [such] the borough within one month after the date of the approval of any ordinance establishing such registry and of every subsequent purchaser devisee or person within one month after acquiring title in any manner whatsoever to any real estate in such borough to furnish to the said secretary at his office descriptions of their respective properties upon blanks to be furnished by the borough and at the same time to present their conveyances to be stamped as evidence of the registry thereof

[Any person neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice shall be liable to a penalty of five dollars to be recovered with costs of suit in the name and for the use of the borough as penalties of like amount are now recoverable]

Section 3006 [Deeds not to be Recorded Until Registered] Sheriff's Deeds Registry Required Before Recording The sheriffs of the respective counties in which any such borough is situated shall present for registry the deeds of all properties within such borough sold by them at judicial sales and the [prothonotaries and] recorders of deeds of such counties shall not admit for record any deed of any property in such borough bearing dates subsequent to the approval of an ordinance providing for the establishment of such registry unless the same shall first have been duly stamped as herein provided

Section 91 Article XXXI and Section 3101 to 3111 inclusive of said Act of May 4 1927 (P. L. 519) are hereby reenacted revised and amended to read as follows

Article XXXI

Enforcement of Ordinances

Section 3101 Recovery of Fines Penalties and Costs Fines penalties and costs made payable by this act or imposed under [the] any ordinance of [any] the borough shall be recoverable before the burgess or any justice of the peace of the borough in the same manner as debts not exceeding three hundred dollars are recoverable and when so recovered shall be forthwith paid to the treasurer of the borough

Section 3102 Arrests by Policemen for Violation of Ordinances [Policemen of the several boroughs may without warrant and upon view arrest and commit for hearing any person guilty of a breach of the peace vagrancy riotous or disorderly conduct or drunkenness or that may be engaged in the commission of any unlawful act tending

to imperil the personal security or endanger the property of citizens or violating any of the ordinances of such borough for the violation of which a penalty is imposed] Persons [so] arrested by policemen for violation of any ordinance of the borough shall be entitled to give bail for their appearance according to the practice in cases of summary convictions

Section 3103 Commencement of Proceedings All proceedings for the violation of borough ordinances and for the collection of fines and penalties imposed thereby may be commenced by warrant or by summons at the discretion of the burgess or justice of the peace before whom the proceedings are commenced but no warrant shall be issued except on the oath or affirmation specifying the ordinance for the violation of which the same is issued and all process may be directed to and be served by any policeman of the borough who may execute the same anywhere within the Commonwealth

Section 3104 Return of Warrants Warrants shall be returnable forthwith and upon such return like proceedings shall be had as in case of summary conviction with the same right of appeal from any final judgment

Section 3105 Arrests on View Complaints When any person is arrested on view a complaint on oath or affirmation shall be immediately made whereupon like proceedings shall be had as provided in the preceding section

Section 3106 Commitments Pending Hearings Any person arrested for the violation of a borough ordinance may be committed to the borough lockup pending a hearing or trial but in case there is no suitable lockup in which to detain prisoners the person arrested may be committed to the county jail

Section 3107 Commitments After Hearings Upon judgment against any person by summary conviction or by proceedings by summons on default of the payment of the fine or penalty imposed and the costs the defendant may be sentenced and committed [to the borough lockup for a period not exceeding five days or] to the county jail or workhouse for a period not exceeding thirty days

Section 3108 Collection of Penalties No fine or penalty shall exceed one hundred dollars for any single violation of any ordinance In case the defendant has goods or property of any kind whatsoever out of which the judgment and costs can be collected by execution or other process the [plaintiff in the action] borough may elect to collect the judgment and costs by such proceedings

Section 3109 Commitment of Vagrants When any person shall have been arrested by authority of the burgess or justice of the peace of any borough charged with being a vagrant or tramp and having refused to pay the fine imposed for such offense the burgess or justice of the peace shall have authority to [commit such person to the lockup in such borough for a term not exceeding five days or] compel such person to work upon the public works or streets of the borough for a period of time not exceeding one day for each dollar of fine imposed

Section 3110 Appeals by Vagrants Any such defendant as provided in the preceding section may appeal to the court of quarter sessions upon entering into recognizance with at least one surety in double the amount of the fine and costs for his appearance in court and the offense shall be prosecuted in court as in the case of misdemeanors

Section 3111 Payments of Costs by Borough When a prisoner shall be committed to any county jail or [prison] workhouse either for the non-payment of a fine or penalty imposed for the violation of any borough ordinance or while awaiting a hearing upon any charge for the violation of any borough ordinance the costs of the proceedings and the expenses of maintaining such prisoner during his confinement shall be paid by the borough and the county shall not be liable [to the sheriff] for any maintenance or to any person for any costs in such proceedings

Section 92 Said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto a new article XXXII and Sections 3201 to 3214 inclusive as follows

Article XXXII

Board of Health

Section 3201 Establishment of Board of Health Health Officers The administration of the health laws in boroughs shall be enforced by a board of health or by a health officer or officers as the case may be appointed by the borough council

Where the borough council elects to appoint a health officer or officers the said health officer or officers shall have the same powers and duties and exercise the same authority as is prescribed for boards of health in boroughs All health officers whether appointed by boards of health or by the borough council shall have had some experience or training in public health work in accordance with rules and regulations established by the Advisory Health Board of the State Department of Health Such health officers shall not enter upon the performance of their duties until they are certified so to do by the State Department of Health

Section 3202 Members of Board of Health Where the borough council decides to appoint a board of health said board shall be composed of five members at least one of whom shall be a reputable physician of not less than two years experience in the practice of his profession The members of the board shall be appointed by the borough council At the first appointment one member shall be appointed to serve for one year one for two years one for three years one for four years and one for five years and thereafter one member shall in like manner be appointed each year to serve for five years The members of the board of health shall serve without compensation but if any member of the board shall be elected to the office of secretary he shall be entitled to receive a salary fixed by the board for that office

Section 3203 Oaths of Members Secretary and Health Officer The members of the board shall severally take and subscribe to the oath prescribed for borough councilmen and shall annually organize by electing a president from among the members of the board a secretary who may or may not be a member of the board The secretary and health officer shall receive such salary as may be fixed by the board and ratified by the borough council and shall serve for a period of one year or until such time thereafter as their successors may be elected and qualified They shall severally give bond to the borough in such sums as may be fixed by ordinance for the faithful discharge of their duties and shall also take and subscribe to the oath required of members of the board

Section 3204 Duties of Secretary The secretary of the board shall keep the minutes of the proceedings of the board shall keep accurate accounts of the expenditures of the board shall draw all requisitions for the payment of moneys on account of the board of health from appropriations made by the council to the board and shall present the same to the president of the board for his approval shall render statements of the expenditures to the board at each stated meeting or as frequently as the board may require shall prepare under the directions of the board the annual report to the borough council together with the estimate of appropriation needed for the ensuing year He shall report to the State Department of Health at the end of each week and for the fraction of each week occurring at the end of month the cases of communicable disease reported to the board of health on the form provided for that purpose by such Department and shall also make an annual report to such Department and shall make such other reports and perform such other duties as the board may require

Section 3205 Powers and Duties of Health Officer It shall be the duty of the health officer to attend all stated and special meetings of the board of health and at all times be ready and available for the prompt performance of his official duties He shall placard and quarantine all premises upon which cases of communicable disease exist which have been reported to the board of health or of which he or the board of health may have knowledge

which are required by law or by regulation of the State Department of Health or of the local board of health to be placarded and quarantined and shall disinfect such premises upon the expiration of the quarantine period and the recovery of the last person therein suffering from such disease He shall serve written notice on teachers and persons in charge of public parochial Sunday and other schools requiring the exclusion from school of children who are suffering from or who reside in the same premises with other persons who are suffering from communicable diseases and shall make sanitary inspections and shall execute the orders of the board of health and shall in the performance of his duties have the power and authority of a policeman

Section 3206 Powers of Board of Health The board of health shall have the power and it shall be its duty to enforce the laws of the Commonwealth the regulations of the State Department of Health and to make and enforce such additional rules and regulations to prevent the introduction and spread of infectious or contagious diseases by the regulation of intercourse with infected places by the separation of infected persons and persons who shall have been exposed to any infectious or contagious disease and by abating and removing all nuisances which the board shall deem prejudicial to the public health to mark infected houses or places to prescribe rules for the construction and maintenance of house-drains wash-pipes soil-pipes and cesspools and to make all such other rules and regulations as shall be deemed necessary for the preservation of the public health The board shall also have power with the consent of council in case of a prevalence of any contagious or infectious diseases to establish one or more emergency hospitals and to make provisions and regulations for the maintenance and management of the same

The board shall also have the power to make enforce and cause to be published all necessary rules and regulations not inconsistent with law for carrying into effect the powers and functions with which they are invested by law and the power and authority relating to the public health conferred on the boroughs Such rules and regulations when approved by the borough council and burgess and when advertised in the same manner as ordinances shall have the force of ordinances of the borough and all penalties or punishment prescribed for the violation thereof as well as the expenses actually and necessarily incurred in carrying such rules and regulations into effect shall be recoverable for the use of the borough in the same manner as penalties for violation of the ordinances of the borough and subject to the like limitations as to the amount thereof

Section 3207 Entry Upon Premises The board of health shall have the power as a body or by committee as well as the health officer together with their assistants subordinates and workmen under and by order of the said board to enter at any time upon any premises in the borough upon which there is suspected to be any infectious or contagious disease or nuisance detrimental to the public health for the purpose of examining and abating the same

Section 3208 Inspections Abatement of Nuisances The board of health may inspect house drains waste and soil-pipes cesspools water-closets slaughter-houses hog-pens stables stable-yards and any conditions or places whatsoever in the borough which may constitute a nuisance or a menace to public health and whenever any condition or place in the borough is found by the board to be a nuisance or a menace to the health of the people of the borough it shall issue a written order of abatement directed to the owner or agent of the owner of the premises stating that the conditions specified therein constitute a nuisance or a menace to health and ordering an abatement thereof within such time as may be specified by them in such order In case such order of abatement is not obeyed within the time specified therein the board shall thereupon issue a further written order to the health officer directing him to remove or abate the

same which order shall be executed by him and his subordinates and workmen and the expense thereof shall be recoverable from the owner of the premises upon or from which the nuisance or menace to health is abated or removed in the same manner as debts of like character are now collected by law or the said board of health may proceed to enforce such other remedy or inflict such penalty as may be provided by ordinance of the borough

Section 3209 Estimates of Expenditures Report It shall be the duty of the board of health or appointed health officer or officers to submit annually to the council before the commencement of the fiscal year an estimate of the probable expenditures of the board during the ensuing year and council shall then proceed to make such appropriations as may be deemed necessary The board of health health officer or officers shall in the month of January of each year submit a report in writing to council of its appropriation and expenditures for the preceding year together with such other information on subjects relative to the sanitary conditions or requirements of the borough as may be necessary and council shall publish the same in their official journal

Section 3210 Cooperation With Other Units Any borough may cooperate with the county or with any city borough or township as well as with the State Department of Health in the administration and enforcement of health laws

Section 3211 Powers of Secretary of Health Whenever in the opinion of the Secretary of Health conditions found by him to exist in any borough shall constitute a menace to the lives and health of people living outside the corporate limits of such borough or if it be known to him that any borough is without an existing or efficient board of health he or his agents may enter and take full charge of and administer the health laws regulations and ordinances in such borough and may continue in charge thereof until he shall decide that a competent and efficient board of health has been appointed and qualified for such borough and is ready able and willing to assume and carry into effect the duties imposed upon it by law

Section 3212 Expenses of Board or Secretary of Health All expenses incurred by any local board of health its officers or employees in the performance of the duties imposed upon it by law and all expenses incurred by the Secretary of Health or his agents in accordance with the provisions of this article shall be paid by the borough wherein such duties are performed in the same manner as other expenses of such borough are paid

Section 3213 Failure to Pay Expenses Incurred by State Secretary Whenever expenses incurred by the Secretary of Health or his agents in the administration of health laws in any borough in accordance with the provisions of this article shall remain unpaid by said borough for a period over three months after a statement of such expense has been rendered by him to such borough and demand for payment by him made he shall with the approval of the Governor institute in the name of the Commonwealth as plaintiff an action of assumpsit against such borough for the collection of such expense from the borough in the same manner as debts of like amount are collected by law Provided however That upon the trial of any such action of assumpsit the reasonableness of the expenditures made by the Secretary of Health shall be submitted to the jury for its determination

Section 3214 Disposition of Collected Funds All expenses incurred by the Secretary of Health in the administration of health laws in any borough when paid by such borough or when collected by him shall be returned by him to the State Treasurer who shall credit the amount so received to the appropriation made to the Department of Health

Section 93 Said Act of May 4 1927 (P. L. 519) is hereby amended by adding thereto a new Article XXXIII and Sections 3301 to 3310 inclusive as follows

Article XXXIII

Zoning

Section 3301 Grant of Power For the purpose of pro-

moting health safety morals or the general welfare councils of boroughs are hereby empowered to regulate and restrict the height number of stories and size of buildings and other structures their construction alteration extension repair maintenance and all facilities and services in or about such buildings and structures and percentage of lot that may be occupied the size of yards courts and other open spaces the density of population and the location and use of buildings structures and land for trade industry residence or other purposes and may also establish and maintain building lines and set back building lines upon any or all public streets

Section 3302 Districts Procedure (a) For any or all said purposes the council may divide the borough into districts of such number shape and area as may be deemed best suited to carry out the purpose of this article Within such districts it may regulate and restrict the erection construction reconstruction alteration repair or use of buildings structures or land All such regulations shall be uniform for each class or kind of buildings throughout each district but the regulations in one district may differ from those in another district

(b) The council shall provide by ordinance the manner in which the boundaries of such districts shall be determined and established and from time to time amended or changed However no such boundary shall become effective until after public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard At least fifteen days' notice of the time and place of such hearing shall be published in a newspaper of general circulation in such borough

Section 3303 Purpose In View Such regulations shall be made in accordance with a comprehensive plan and designed to lessen congestion in the streets to secure safety from fire panic and other dangers to promote health and the general welfare to provide adequate light and air to prevent the overcrowding of land to avoid undue concentration of population to facilitate the adequate provision of transportation water sewage schools parks and other public requirements Such regulations shall be made with reasonable consideration among other things to the character of the district and its peculiar suitability or particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the borough

Section 3304 The council shall exercise the powers granted in Section 3301 hereby by ordinance which shall provide for effecting of its purposes and for the enforcement of the regulations and restrictions established therein by reasonable fines and by the instituting appropriate actions or proceedings at law or in equity At least one week and not more than three weeks prior to the presentation of the proposed ordinance an information notice of intention to consider such proposed ordinance and a brief summary setting for the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents pursuant to a uniform form which shall be prepared or approved by the Department of Internal Affairs and a reference to the place or places within the borough where copies of the proposed ordinance may be examined shall be published in the manner provided by law for the publication of ordinances

The provisions of the ordinance need not be advertised or recorded as in other cases Provisions respecting the construction alteration extension repair care and maintenance of buildings and structures may be supplied by reference to a standing building code approved by the Department of Internal Affairs or to parts thereof determined by the council or such provisions of the ordinance may be supplied by reference to a typed or printed building code prepared under the direction of or accepted by the council or such provisions may consist of a standard code approved as aforesaid or parts thereof and also further provisions typed or printed as aforesaid Copies of the provisions of the ordinance thus adopted by

reference shall be made to any interested party at the cost thereof or may be furnished or loaned without charge and a copy of such provisions of the ordinance whether by reference to a standard building code or a combination of them shall be attached to the ordinance book with the same force and effect as if duly recorded therein.

The procedure set forth relating to the adoption of the ordinance may likewise be adopted in amending supplementing or repealing any of the provisions of the ordinance.

Section 3305 Changes Such regulations restrictions and boundaries may from time to time be amended supplemented changed modified or repealed. In case however of a protest against such change signed by the owners of twenty per cent or more either of the area of the lots included in such proposed change or of those immediately adjacent in the rear thereof extending one hundred feet therefrom or of those directly opposite thereto extending one hundred feet from the street frontage of such opposite lots such amendment shall not become effective except by the favorable vote of three-fourths of all the members of council.

Section 3306 Zoning Commission In order to avail itself of the powers conferred by this act the council shall appoint a commission of five citizens known as the Zoning Commission to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report and such council shall not hold its public hearings or take action until it has received the final report of such commission. Where a borough Planning Commission already exists it may be appointed as the Zoning Commission.

Section 3307 Board of Adjustment The council may appoint a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this article may provide that said board of adjustment may in appropriate cases and subject to appropriate conditions and safeguards make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained.

The board of adjustment shall consist of three members one of whom shall be designated to serve until the first day of January following the adoption of the zoning ordinance one until the first day of the second January thereafter and one until the first day of the third January thereafter. Their successors shall be appointed on the expiration of their respective terms to serve three years. The members of the board shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

The board of adjustment shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this article. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. Such chairman or in his absence the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings showing the vote of each member upon each question or if absent or failing to vote indicating such fact and shall keep records of its examinations and other official action all of which shall be immediately filed in the office of the board and shall be a public record.

Appeals to the board of adjustment may be taken by any person aggrieved or by any officer of the borough affected by any decision of the administrative officer. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all papers constituting the

record upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life and property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by a court of record on application on notice to the officer from whom the appeal is taken and due cause shown.

The board of adjustment shall fix a reasonable time for the hearing of the appeal give public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is error in any order requirement decision or determination made by an administrative official in the enforcement of this article or of any ordinance adopted pursuant thereto.

(2) To hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance.

(3) To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

In exercising the above mentioned powers such board may in conformity with the provisions of this article reverse or affirm wholly or partly or may modify the order requirement decision or determination appealed from and may make such order requirement decision or determination as in its opinion ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

Any person aggrieved by any decision of the board of adjustment or any taxpayer or any officer of the borough may within thirty days after such decision of the board appeal to the court of common pleas of the county by petition duly verified setting forth that such decision is arbitrary capricious an abuse of discretion or otherwise not in accordance with law and specifying the grounds upon which he relies.

Upon presentation of the petition in proper form the court shall forthwith issue a writ of certiorari directed to the board of adjustment commanding it within twenty (20) days after the service thereof to certify to the court under the certificate of its chairman its entire record in the matter in which the appeal has been taken. The prothonotary shall serve the board of adjustment by registered mail with a copy of the writ and a copy of the appeal petition. On or before the return day of the writ the board of adjustment shall file the entire record with the writ in the office of the prothonotary.

Any time during the pendency of an appeal upon application of the appellant and upon due notice to the board of adjustment the court or a judge thereof may after hearing grant an order of supersedeas upon such terms and conditions including the filing of security as the court or the judge thereof may prescribe.

If upon the hearing of the appeal it shall appear to the court that testimony is necessary for the proper disposition of the appeal it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of facts and conclusions of law. The court may reverse or affirm in whole or in part or may modify the decision appealed from as to it may appear just and proper.

Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from

Section 3308 Remedies In case any building or structure is erected constructed reconstructed altered repaired converted or maintained or any building structure or land is used in violation of this article or of any ordinance or other regulation made under authority conferred hereby the proper local authorities of the borough in addition to other remedies may institute any appropriate action or proceedings to prevent such unlawful erection construction reconstruction alteration repair conversion maintenance or use to restrain correct or abate such violation to prevent the occupancy of said building structure or land or to prevent any illegal act conduct business or use in or about such premises

Section 3309 Certain Buildings of Public Utility Corporations Exempted This article shall not apply to any existing or proposed building or extension thereof used or to be used by public utility corporations if upon petition of the corporation the Public Utility Commission shall after a public hearing decide that the present or proposed situation of the building in question is reasonably necessary for the convenience or welfare of the public

Section 3310 Finances The council is empowered to appropriate out of the general borough fund such moneys otherwise unappropriated as it may deem fit to finance the work of the borough zoning commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes from either private or public sources State or Federal

Section 94 Article XXXII and Section 3201 3205 3206 3207 3208 and 3210 of the Act of May 4 1927 (P L 519) are hereby reenacted revised and amended and renumbered as follows

Article [XXXII] XXXIV

Actions By and Against Boroughs

(a) Municipal Claims

Section [3201] 3401 Collection of Municipal Claims Boroughs may proceed for the recovery of municipal claims and taxes by lien or by action of assumpsit and jurisdiction is conferred upon justices of the peace to entertain such actions of assumpsit to the amount of three hundred dollars In all proceedings for the recovery of municipal claims at attorney's commission of five per centum may be included not to exceed twenty dollars

(b) Defenses by Taxpayers

Section [3205] 3405 Intervention by Taxpayers Any taxpayer of any borough may inquire into the validity of any judgment or defend the borough in any suits or judgment upon filing a petition with the court of common pleas of the county in which such suit is pending or judgment exists accompanied by an affidavit that the taxpayer believes that injustice will be done to the borough in such suit or judgment Whenever it is deemed necessary the court may order such taxpayer to file a bond with one or more sureties to be approved by court to save the borough harmless from all costs that may accrue in such proceeding subsequent to the filing of such petition When such intervention shall have taken place such taxpayer shall be deemed a party to the record and no settlement or any suit or judgment wherein such intervention shall have taken place shall be made by the borough without notice to such intervening taxpayer and opportunity for him to be heard

Section [3206] 3406 Appeals by Taxpayers Whenever a judgment is rendered by any justice of the peace or alderman against any borough and a right of appeal is given to such borough and for ten days immediately after the rendition of such judgment the borough officials neglect to perfect such appeal any taxpayer of such borough may take an appeal in behalf of the borough from such judgment to the court of common pleas of the county within the time prescribed for the taking of such appeal

Section [3207] 3407 Affidavit by Taxpayer Costs In taking the appeal the taxpayer shall make an affidavit that the same is not taken for the purpose of delay but because he verily believes that injustice has been done The taxpayer shall pay the costs of the appeal and enter sufficient bail for the payment of all costs before the justice of the peace [or alderman] and all costs in the court of common pleas

Section [3208] 3408 Taxpayer to be Party to Suit Upon the filing of such appeal in the court of common pleas of the county the taxpayer shall be made a party of the suit and shall have the right to defend such borough therein

(c) Liability in Bond Transfers

Section [3210] 3410 All certificates of loans issued by a borough shall be transferable by the legal owner thereof without any liability on the part of the transfer agents of the borough to recognize or see to the execution of any trust whether expressed implied or constructive to which such loans may be subject unless such transfer agents of the borough shall have previously received notice in writing signed by or on behalf of the person for whom such loans appear by the certificate thereof to be held in trust that the proposed transfer would be a violation of such trust

Section 95 Article XXXIII of said Act of May 4 1927 (P L 519) is hereby renumbered Article XXXV and is hereby reenacted in part and revised and amended to read as follows

Article [XXXIII] XXXV

Acts of Assembly Repealed Saving Clause

Section [3301] 3501 Nothing contained in this amendment revision and reenactment shall be construed to revive any act or part of an act heretofore repealed The following additional Acts and Parts of Acts of Assembly are Hereby Repealed as particularly set forth

The act approved the first day of May one thousand nine hundred thirteen (P L 155) entitled "An act regulating the letting of certain contracts for the erection construction and alteration of public buildings" so far as it relates to boroughs

The act approved the twelfth day of June one thousand nine hundred thirteen (P. L. 471) entitled "An act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the president of the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid" so far as it relates to boroughs

The act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1083) entitled "An act requiring all persons contracting with the Commonwealth or any department or officer thereof or any municipal corporation division or subdivision of the Commonwealth to accept the provisions of the State Workmen's Compensation Act and to insure the said contractor's liability thereunder or secure an exemption from insurance in accordance with the terms of the said act in respect to such contract" so far as it relates to boroughs

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P L 957) entitled "An act authorizing boroughs and townships of the first class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of

courts and open spaces the density of population and the use of land" so far as it relates to boroughs

The act approved the twentieth day of April one thousand nine hundred twenty-seven (P L 350) entitled "An act making it unlawful for any architect or engineer in the employ of the Commonwealth or of any county municipality borough township or other subdivision of the Commonwealth and engaged in the preparation of plans specifications or estimates to bid on any public work or to be interested in contracts for public work making it unlawful for the officers of the Commonwealth or any county municipality borough township or other subdivision of the Commonwealth to award the contract to any such architect or engineer in the employ of the Commonwealth and fixing penalties" so far as it relates to boroughs

The act approved the thirteenth day of May one thousand nine hundred twenty-seven (P L 992) entitled "An act prohibiting cities boroughs towns and townships to increase or diminish the salary compensation or emoluments of elected officers after their election" so far as it relates to boroughs

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 844) entitled as amended "An act authorizing the Commonwealth of Pennsylvania or any department or division thereof and counties cities boroughs incorporated towns townships school districts Vocational School Districts and Institution districts to make contracts of life health Hospitalization Medical Services and accident policies for the benefit of employees thereof and contracts for pensions for such employees and providing for the payment of the cost thereof" so far as it relates to boroughs

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P L 845) entitled "An act authorizing the publication of advertisements for bids for public works supplies or equipment in certain publications and journals devoted to information about construction work" so far as it relates to boroughs

The act approved the first day of May one thousand nine hundred thirty-five (P L 124) entitled "An act authorizing the insurance of deposits of funds of this Commonwealth and of the political subdivisions thereof with the Federal Deposit Insurance Corporation or other similar agency and prohibiting requiring further security for amounts so insured" so far as it relates to boroughs

The act approved the twenty-first day of June one thousand nine hundred thirty-five (P L 399) entitled "An act empowering boroughs to refund liens and bonds secured by liens on waterworks and the appurtenances thereto and imposing no municipal liability existing or created at the time of the original acquisition of such water-works by the issue of refunding bonds secured solely by liens and imposing no municipal liability" absolutely

The Act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 731 No. 290) entitled "An act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (P L 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' by requiring borough fiscal records to be open to inspection" absolutely

The act approved the eighteenth day of July one thousand nine hundred thirty-five (P L 1173) entitled "An act to prohibit discrimination on account of race creed or color in employment under contracts for public buildings or public works" so far as it relates to boroughs

The act approved the sixteenth day of March one thousand nine hundred thirty-seven (P L 98) entitled "An act authorizing political subdivisions to stipulate in specifications upon which contracts for the construction alteration or repairs of any public work or improvement are entered into the minimum wages to be paid to laborers and mechanics and providing for the stipulation of penalties in such contracts where such minimum wage stipulations are violated and for the recovery of such penalties and their return in certain cases" so far as it relates to boroughs

The act approved the thirteenth day of May one thousand nine hundred thirty-seven (P L 620) entitled "An act requiring the consent of the electors of a township of the first class when such township or any part thereof is to be annexed to a contiguous borough or city" so far as it relates to boroughs

The act approved the nineteenth day of June one thousand nine hundred thirty-nine (P. L. 430) entitled "An act providing a method of annexation of parts of townships of the first class in counties of the second class not in excess of twenty per centum of the assessed value of any such township in counties of the second class to contiguous cities of the second class boroughs or other contiguous townships of the first class and regulating the proceedings pertaining thereto" so far as it relates to annexations to boroughs

The act approved the twenty-first day of June one thousand nine hundred thirty-nine (P L 641) entitled "An act providing a method whereby boroughs may collect over a period of years from owners of property benefited thereby assessments for permanent paving and improvement of streets alleys sidewalks or other highways or parts thereof prescribing the effect of filing municipal claims for such assessments the interest to be charged thereon the length of time the lien thereof shall run and the procedure for collection upon default in such payments" absolutely

The act approved the fifth day of June one thousand nine hundred forty-one (P L 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to boroughs

The act approved the seventh day of May one thousand nine hundred forty-three (P. L. 252) entitled "An act to further amend section 601 602 and 605 of and to add sections 601.1 601.2 and 601.3 to the Act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on boroughs councils providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes" absolutely

The act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 684) entitled "An act to add section eight hundred eighteen to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled 'An act concerning boroughs and revising amending and consolidating the law relating to boroughs' further providing for the election of councilmen when the terms of all encumbrants expire in the same year" absolutely

The act approved the first day of June one thousand nine hundred forty (P. L. 1232) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid operators of fire apparatus in boroughs incorporated towns and townships of the first class creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expenses on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" so far as it relates to boroughs

All other acts or parts of acts of Assembly supplied by inconsistent with or appertaining to the subject matter covered by this act are hereby repealed It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of boroughs except

as to the several matters enumerated in section one hundred and two of article one of this act

But nothing contained in this act shall be construed to repeal any local or special laws or to repeal the provisions of the Public [Service Company] Utility Law or any law relating to the Board of Commissioners of Navigation for the River Delaware and its Navigable Tributaries or the provisions of any law the enforcement of which is vested in the Department of Health or the Sanitary Water Board or the provisions of any law the enforcement of which is vested in the Department of Forests and Waters or the Water and Power Resources Board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCullough,	Sax,
Andrews,	Getchey,	McDonald,	Scanlon,
Bane,	Gibson,	McKinney,	Schuster,
Barrett,	Goff,	McMillen,	Scott,
Baumunk,	Goodling,	Mihm,	Serrill,
Beech,	Gorman,	Mikula,	Shoemaker,
Bender,	Graybill,	Miller,	Simons,
Bentzel,	Greenwood,	Mills,	Smith, C. C.,
Bloom,	Greer,	Mintess,	Smith, C. M.,
Boles,	Griffiths,	Mohr,	Snider,
Bonawitz,	Guthrie,	Mooney,	Sollenberger,
Boorse,	Gyger,	Moore, C. E.,	Sorg,
Bower,	Hall,	Moore, H. A.,	Sproul,
Breisch,	Haller,	Morrison,	Stank,
Brice,	Haudenschild,	Murray,	Stimmel,
Brown,	Helm,	Myers,	Stockham,
Brunner,	Henry,	Najaka,	Stonier,
Bucchin,	Hewitt,	Naumann,	Stuart,
Cadwalader,	Hocker,	Needham,	Swope,
Capano,	Hoffman,	Neff,	Tahl,
Cassidy,	Hoopas,	O'Connor,	Thomassy,
Chervenak,	Horan,	O'Dare,	Thompson,
Chudoff,	Imbt,	O'Donnell,	Tittle,
Cochran,	Jennings,	O'Neill,	Tompkins,
Cole,	Johnson,	Orban,	Toomey,
Cook,	Johnston,	Patten,	Turner,
Cooper,	Jones,	Petrosky,	Upshur,
Cordier,	Jump,	Pichney,	Vaughan,
Costa,	Kean,	Pickens,	Verona,
Crowley,	Kelley,	Polaski,	Wachhaus,
Dague,	Kemp,	Powers,	Wagner,
Dalrymple,	Kent,	Price,	Waldron,
Davison,	Kirley,	Propert,	Wallin,
De Long,	Kline,	Ragot,	Walton,
Demech,	Kohl,	Readinger,	Waterhouse,
Dennison,	Kratz,	Reagan,	Watkins,
Depuy,	Krise,	Reese, D. P.,	Watson,
Dix,	Kurtz,	Reese, R. E.,	Weldner,
Dye,	Laughner,	Reilly, J. M.,	Weiss,
Efenberg,	Layer,	Reilly, W. J.,	Wescott,
Elder,	Lee,	Richter,	West,
Erb,	Lelsey,	Riley,	Wheeler,
Evans,	Livingston,	Robbins,	Wolf,
Ewing,	Livingstone,	Robertson,	Wood,
Feola,	Loftus,	Root,	Worley,
Fish,	Lovett,	Rose,	Yeakel,
Fiss,	Lyons,	Rowen,	Yester,
Flack,	Madden,	Royer,	Yetzer,
Fleming,	Madigan,	McCormack,	Young,
Foor,	Mazza,	Sarraf,	Lichtenwalter,
Frost,	McCosker,		Speaker.

NAYS—0

NOT VOTING—3

Clevenger, Nelson, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1266, as follows:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents for participation in certain defense activities for the rehabilitation and care of veterans including the acquisition of land by purchase condemnation or gift and construction of buildings for such purpose

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one million five hundred thousand dollars (\$1,500,000) or as much thereof as may be necessary is hereby appropriated to the State Veterans' Commission for the two fiscal years beginning June first one thousand nine hundred forty-seven for the payment of traveling expenses and other authorized disbursements of the commission salaries wages and expenses of its employes furnishing funds to provide the necessities of life for and to assist otherwise such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means for planning and providing for the rehabilitation and care of veterans and for the acquisition of land by purchase condemnation or gift and the construction of buildings with the approval of the Governor as may be deemed necessary for the rehabilitation and care of veterans

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Miller,	Greenwood,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopas,	Neff,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Cochran,	Jennings,	O'Donnell,	Tompkins,
Cole,	Johnson,	O'Neill,	Toomey,
Cook,	Johnston,	Orban,	Turner,
Cooper,	Jones,	Patten,	Upshur,
Cordier,	Jump,	Petrosky,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,

Dix,	Kurtz,	Reese, D. P.,	Weldner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Lelsey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarra,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0

NOT VOTING—3

Clevenger, Nelson, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301, as follows:

An Act to amend sections three and four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing the use upkeep and management and control of such halls" providing that vacancies on the board of managers shall be filled and persons employed with respect to such halls shall be veterans who were residents of the Commonwealth at time of enlistment or induction declaring certain vacancies and requiring certain dismissals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and four of the act approved the second day of June one thousand nine hundred thirty-seven (P. L. 1206) entitled "An act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls" are hereby amended to read as follows

Section 3 Vacancies occurring among the elective members of the board shall be filled by the organization which chose the members whose place it is desired to fill [Provided however That whenever] Only persons who were resident of Pennsylvania at the time of their enlistment or induction shall be eligible for membership on such fill any vacancy in the board caused by the death or resignation of a member thereof who represented the board Whenever it may appear that it is impossible to Veterans of the Civil War because no organization survives to choose such members or no person survives who can qualify for such membership vacancies so created and existing shall upon notice from the secretary be filled by the county organizations of the United Spanish War Veterans and the American Legion and the Veterans of Foreign Wars That is to say the first vacancy so caused shall be filled by the county organization of the United Spanish War Veterans the second by the county organization of the American Legion and the third by the county organization of the Veterans of Foreign Wars and so on in rotation That is to say that when no member representing the Veterans of the Civil War shall remain on said board the elective personnel of the board shall be as follows Elective members (twelve) United Spanish War Veterans (four) the American Legion (four) Veterans of Foreign Wars (four)

Section 4 The organization of the board and its powers and duties and the powers and the duties of the county commissioners and the various courts of such county with respect to such memorial hall and the provisions for the maintenance and repair of such hall shall be and continue as provided under existing law except that no person shall be employed in any capacity with respect to any such memorial hall unless such person is a veteran of a war in which the United States of America was engaged and at the time of his induction or enlistment was a resident of Pennsylvania

Section 2 A vacancy is hereby declared to exist in the membership of the board in the case of any elective member of the board who does not fulfill the additional qualifications of membership required by this amendment and any person employed in any capacity with respect to such memorial hall who has been so employed for a period of less than one year prior to the effective date of this act and who does not meet the qualifications for employment required by this amendment shall forthwith be discharged from such employment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,
Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenshield,	Morrison,	Stimmel,
Brown,	Helm,	Murray,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervenak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Tittle,
Cochran,	Jennings,	O'Donnell,	Tompkins,
Cole,	Johnson,	O'Neill,	Toomey,
Cook,	Johnston,	Orban,	Turner,
Cooper,	Jones,	Patt-n,	Upshur,
Cordier,	Jump,	Petrosky,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davison,	Kirley,	Price,	Wallin,
De Long,	Kline,	Probert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weldner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Reilly, J. M.,	Wescott,
Elder,	Lee,	Reilly, W. J.,	West,
Erb,	Lelsey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarra,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0

NOT VOTING—3

Clevenger, Nelson, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL POSTPONED

There being no objection,

Senate Bill No. 478, Printer's No. 244, was passed over at the request of the SPEAKER.

REPORT FROM COMMITTEE

Mr. LAUGHNER from the Committee on Appropriations, reported as committed, House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth.

BILL ON FIRST READING

The following bill was read the first time pursuant to a resolution adopted May 27, 1947.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS HOUSE

Mr. HEWITT asked and obtained unanimous consent to address the House.

Mr. Speaker, about this period in every session most of the Members become rather worried about the bills that they have reposing in various committees in the House, and I would like to explain to the House my record as a legislator as far as bills are concerned.

In the 1941 session when the Democrats were in power I had one bill that was let out of committee and passed this House and passed the Senate and was vetoed by the Governor.

In the 1943 session I had another bill reported from committee. It passed the House and died in the Senate. Another bill came out that session,—rather was to come out that session but didn't. I want to say this to explain my situation, that I have a very bad record. All of these bills were simple bills introduced by simple Members. The committee chairman said he was calling a mass meeting and he would have the bill agreed to. It happened that when he had the committee meeting he lost the bill, and I was pretty sore at this fellow. So when I lost the bill yesterday I knew how you feel when you have a bill lost.

A few days later a fellow Member came to look my bill over and said he would see what he could do about it. In the meantime we passed the Township Code in the

House by a vote of 202-0. In the meantime this report was discovered and he talked to Cappy Thompson that Section 702 would take care of my proposition, and therefore, Mr. Foor said that was correct. When the bill went to the Senate it was defeated in the Senate after it had passed in the House by 202 votes, it lost in the Senate 49 to nothing.

So I went to Mr. Foor again and got him to take notes on page 8 of today's calendar, House Bill 1113, Printer's No. 734, and that's about the first time that my name is on the calendar since Governor Martin "geebooded" all the bills.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, I just want to say in view of the gentleman's voting record, particularly on bills emanating from this side of the House, in view of his general voting record, it is a mighty good thing that he did not get other bills on the calendar.

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 631.

An Act regulating the selling offering or exposing for sale of agriculture seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments. The Clerk read the amendments as follows:

Amend Sec. 4, page 10, line 1, by inserting the following: "(3) For seeds which germinate less than the standard last established by the Secretary of Agriculture under this act".

Amend page 10, line 4, by striking out the brackets and figure "3" and inserting in lieu thereof the brackets and letter "A".

Amend page 10, line 5, by striking out the brackets and figure "4" and inserting in lieu thereof the brackets and letter "B".

Amend page 10, line 6, by striking out the brackets and figure "5" and inserting in lieu thereof the brackets and letter "C".

Amend page 10, by inserting after line 7 the following on lines 8 and 9: "(D) The words 'Below germination standard' in not less than eight-point type".

Amend page 10, line 10, by striking out the bracket and figure "6" and inserting in lieu thereof the brackets and figure "4".

Amend page 11, line 1, by striking out the following: "(3) Containing weed seeds in excess of three per cent by weight".

Amend page 11, line 2, by striking out "(4)" and inserting in lieu thereof the following: "(3)."

Amend page 11, line 4, by inserting the following: "(4) Containing weed seeds collectively in excess of three per cent by weight".

Amend page 11, line 10, by inserting after the word "person" the words "offering seed for sale".

Amend Sec. 8, page 12, line 9, by inserting after the word "regulations" the words "standard tolerances".

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. REAGAN. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 887.

An Act relating to the regulation of rates for insurance which may be written by stock or mutual casualty insurance companies associations or exchanges including fidelity surety and guaranty bonds and all other forms of motor vehicle insurance and title insurance to rating and advisory organizations conferring on the Insurance Commissioner the power and duty of supervising and regulating persons associations companies and corporations and of enforcing the provisions of this act prescribing and regulating the practice and procedure before the commissioner and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings prescribing penalties and providing for enforcement thereof and repealing inconsistent acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Sec. 2, page 3, line 8, by striking out after the word "or" the word "used" and inserting in lieu thereof the word "use"; line 11, by striking out after the bracket in letter "(e)" the word "excess"; page 3, line 12, by inserting after the word "self-insurers" the following "as defined in rules and regulations which the insurance commissioner hereinafter referred to as the "commissioner" shall promulgate"; page 3, line 20, and page 4, line 1, by striking out the words "Insurance Commissioner herein-after referred to as".

Amend Sec. 3, page 5, line 13, by striking out after the word "discriminatory" the words "between risks involving identical rate making factors".

Amend Sec. 4, page 7, by striking out lines 10, 11, 12, 13 and 14 as follows: "(c) Any special filing with respect to a contract or policy covering a risk involving rate making factors not contemplated in previous filings shall become effective when filed and shall be deemed to meet the requirements of this act until such time as the commissioner reviews the filing and so long thereafter as the filing remains in effect" and inserting in lieu thereof the following: "(E) Any filing with respect to a surety or guaranty bond required by law or by court or executive order or by order rule or regulation of a public body not covered by a previous filing or any filing with respect to a contract or a policy covering any risk or kind or insurance or subdivision thereof for which classification rates do not generally exist in the industry or which by reason

or rarity or peculiar characteristics does not lend itself to normal classification or rating procedure shall become effective when filed and shall be deemed to meet the requirements of this act".

Amend Sec. 6, page 14, by striking out lines 16, 17, 18, 19 and 20 as follows: "(d) No rating organization shall refuse to rate in accordance with this act or to file any proposed change in or addition to its filings relating to the character and extent of coverage provided that such organization may make such filing on behalf of the proponent thereof only".

Amend page 15, line 1, by striking the bracket and "c" and inserting in lieu thereof the bracket and letter "(D)".

Amend page 16, line 9, by inserting after the word "effective" the following: "unless the commissioner reviews and authorized the filing to become effective before the expiration of such period".

Amend Sec. 8, page 16, line 17, by inserting after the word "Minority" the following: "Any member of or subscriber to a rating organization may appeal to the commissioner from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days or if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its filings he may in the event he finds that such action or decision was unreasonable issue an order directing the rating organization to make an addition to its filings on behalf of its members and subscribers in a manner consistent with his findings within a reasonable time after the issuance of such order provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings relating to the character and extent of coverage he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

"The failure of a rating organization to take action or make a decision within thirty days after submission to it of a proposal under this section shall constitute a rejection of such proposal within the meaning of this section".

Amend page 18, line 13, by inserting after the word "section" the following: "Any member of or subscriber to a rating organization may appeal to the commissioner from the action or decision of such rating organization in the promulgation of rates or with regard to any proposed change in or addition to the filing of such rating organization and the commissioner shall after a hearing held upon not less than ten (10) days' written notice to the appellant and to such rating organization issue an order approving or disapproving the action or decision of such rating organization Provided however That if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act".

Amend Sec. 18, page 30, line 8, by inserting after the word "shall" the word "not".

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. KLINE. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 888.

An Act relating to the regulation of rates for insurance which may be written by stock or mutual fire, marine or fire and marine insurance companies, associations or exchanges; to rating and advisory organizations; to reports by rating organizations and insurers to the Pennsylvania State Police; conferring on the Insurance Commissioner the power and duty of supervising and regulating persons, associations, companies and corporations, and of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; giving the Court of common pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 5, 6, 7, 8, and 9 by striking out the following: "(f) To insurance written on an assessment basis by a mutual insurance company. However insurance written on an assessment basis may be subjected to the provisions of this act by the company filing with the insurance commissioner an agreement subjecting such insurance to the provisions of this act."

Amend Section 2, page 4, by inserting after line 16 the following: "Nothing in this Act shall require a domestic mutual fire insurance company or a domestic reciprocal or exchange to file a schedule of rates or to become a member of any rating bureau but such companies reciprocals or exchanges may at their option file such schedules or become members of rating bureaus."

Amend Section 3, page 5, line 11, by striking out after the word "not" the words "readily adaptable" and inserting in lieu thereof the word "applicable"; Amend page 5, line 14, by striking out after the word "discriminatory" the words "between risks involving essentially the same rate making factors."

Amend Section 6, page 15, by striking out lines 12, 13, 14, and 15 as follows: "(d) No rating organization shall refuse to rate in accordance with this act or to file any proposed change in or addition to its filings relating to the character and extent of coverage provided that such organization may make such filing on behalf of the proponent thereof only."

Amend page 15, line 16, by striking out "(c)" and inserting in lieu thereof "(D)"; page 16, line 9, by striking out "(f)" and inserting in lieu thereof "(E)"; line 19 by striking out "(g)" and inserting in lieu thereof "(F)."

Amend Section 7, page 17, line 12, by inserting after the word "effective" the following: "unless the commissioner reviews and authorizes the filing to become effective before the expiration of such period."

Amend Section 8, page 17, line 19, by striking out after the word "Minority" the words "Any member of or subscriber"; page 18, by striking out lines 1 through 12 as follows: "to a rating organization may appeal to the commissioner from the action or decision of such rating organization in the promulgation of rates or with regard to any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than ten days' written notice to the appellant and to such rating organization issue an order approving or disapproving the action or decision of such rating organization. Provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings he shall approve the rate applied by

the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act"

Amend Section 8, page 18, by inserting after line 12 the following:

"Any member of or subscriber to a rating organization may appeal to the commissioner from any action or decision of such rating organization in approving or rejecting any proposed change in or addition to the filings of such rating organization and the commissioner shall after a hearing held upon not less than days' written notice to the appellant and to such rating organization issue an order approving the action or decision of such rating organization or directing it to give further consideration to such proposal and to take action or make a decision upon it within thirty days or if such appeal is from the action or decision of the rating organization in rejecting a proposed addition to its filings he may in the event he finds that such action or decision was unreasonable issue an order directing the rating organization to make an addition to its filings on behalf of its members and subscribers in a manner consistent with his findings within a reasonable time after the issuance of such order provided however if the appeal is from the action of the rating organization with regard to a rate on a proposed change in or addition to its filings relating to the character and extent of coverage he shall approve the rate applied by the rating organization or such rate as may be suggested by the appellant if either rate be in accordance with this act

"The failure of a rating organization to take action or make a decision within thirty days after submission to it of a proposal under this section shall constitute a rejection of such proposal within the meaning of this section"

Amend Section 16, page 31, line 6, by striking out after the word "review" the word "or" and inserting in lieu thereof the word "of".

Amend Section 19, page 31, by inserting after line 13 the following:

"(1) Sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) known as "the Insurance Department Act of one thousand nine hundred and twenty-one"

Amend Section 19, page 32, by striking out lines 1, 2, 3 and 4 as follows:

"(1) Section two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred twenty-on (P. L. 789) known as "The Insurance Department Act of one thousand nine hundred and twenty-one"

Amend Page 32, line 5, by striking out "(2) (1)"; line 9 by Striking out "(3) (2)"

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. KLINE. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 897.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the

regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," excluding from the provisions thereof fire rating bureaus revising the provisions relating to discrimination and the penalties therefor and relating to reports by subscribers to reciprocals and inter-insurance exchanges

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 19 by inserting after the word "Prohibited" the word "unfair."

Amend page 6, line 10, by striking out after the word "Section" the number "4" and inserting in lieu thereof the number "3."

Amend page 7, line 3, by striking out after the word "Section" the number "5" and inserting in lieu thereof the number "4."

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. KLINE. Mr. Speaker, I move that this bill, together with the message from the Senate, be laid on the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 759.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 1 by inserting after the word "and" the words "if appointed."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WEST. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson,	Gallagher,	McCosker,	Sax,
Andrews,	Getchey,	McCullough,	Scanlon,
Bane,	Gibson,	McDonald,	Schuster,
Barrett,	Goff,	McKinney,	Scott,
Baumunk,	Goodling,	McMillen,	Serrill,

Beech,	Gorman,	Mihm,	Shoemaker,
Bender,	Graybill,	Mikula,	Simons,
Bentzel,	Greenwood,	Miller,	Smith, C. C.,
Bloom,	Greer,	Mills,	Smith, C. M.,
Boles,	Griffiths,	Mintess,	Snider,
Bonawitz,	Guthrie,	Mohr,	Sollenberger,
Boorse,	Gyger,	Mooney,	Sorg,
Bower,	Hall,	Moore, C. E.,	Sproul,
Breisch,	Haller,	Moore, H. A.,	Stank,
Brice,	Haudenschild,	Murray,	Stimmel,
Brown,	Helm,	Morrison,	Stockham,
Brunner,	Henry,	Myers,	Stonier,
Bucchin,	Hewitt,	Najaka,	Stuart,
Cadwalader,	Hocker,	Naumann,	Swope,
Capano,	Hoffman,	Needham,	Tahl,
Cassidy,	Hoopes,	Neff,	Thomassy,
Chervinak,	Horan,	O'Connor,	Thompson,
Chudoff,	Imbt,	O'Dare,	Titile,
Cochran,	Jennings,	O'Donnell,	Tompkins,
Cole,	Johnson,	O'Neill,	Toomey,
Cook,	Johnston,	Orban,	Turner,
Cooper,	Jones,	Patten,	Upshur,
Cordier,	Jump,	Petrosky,	Vaughan,
Costa,	Kean,	Pichney,	Verona,
Crowley,	Kelley,	Pickens,	Wachhaus,
Dague,	Kemp,	Polaski,	Wagner,
Dalrymple,	Kent,	Powers,	Waldron,
Davidson,	Kirley,	Price,	Wallin,
De Long,	Kline,	Propert,	Walton,
Demech,	Kohl,	Ragot,	Waterhouse,
Dennison,	Kratz,	Readinger,	Watkins,
Depuy,	Krise,	Reagan,	Watson,
Dix,	Kurtz,	Reese, D. P.,	Weidner,
Dye,	Laughner,	Reese, R. E.,	Weiss,
Efenberg,	Layer,	Relly, J. M.,	Wescott,
Elder,	Lee,	Relly, W. J.,	West,
Erb,	Leisey,	Richter,	Wheeler,
Evans,	Livingston,	Riley,	Wolf,
Ewing,	Livingstone,	Robbins,	Wood,
Feola,	Loftus,	Robertson,	Worley,
Fish,	Lovett,	Root,	Yeakel,
Fiss,	Lyons,	Rose,	Yester,
Flack,	Madden,	Rowen,	Yetzer,
Fleming,	Madigan,	Royer,	Young,
Foor,	Mazza,	Sarra,	Lichtenwalter,
Frost,	McCormack,		Speaker.

NAYS—0

NOT VOTING—3

Clevenger, Nelson, Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1173.

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 3, line 16, by inserting after the

word "vines" the words: "with roots attached;" page 3, line 17 by striking out the "bracket" after the word "become;" page 3, line 18, by striking out the entire line; page 3, line 19, by striking out the words "of trees which are;" page 3, line 19, by inserting a bracket after the word "products."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. TOMPKINS. Mr. Speaker, I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Aaronson.	Frost.	McCormack.	Sax.
Andrews.	Gallagher.	McCosker.	Scanlon.
Bane.	Getchey.	McCullough.	Schuster
Barrett.	Gibson.	McDonald.	Scott.
Baumunk.	Goff.	McKinney	Serrill.
Beech.	Goodling.	McMillen	Shoemaker
Bender.	Gorman.	Mihm.	Simons.
Bentzel.	Graybill.	Mikula.	Smith. C. C.
Bloom.	Greenwood.	Miller.	Smith. C. M.
Boles.	Greer.	Mills.	Snider.
Bonawitz.	Griffiths.	Mintess.	Sollenberger
Boorse.	Guthrie.	Mohr.	Sorg.
Bower.	Gyger.	Mooney.	Sproul.
Brelsch.	Hall.	Moore. C. E.	Stank.
Brice.	Haller.	Moore. H. A.	Stimmel.
Brown.	Haudenschild.	Morrison.	Stockham
Brunner.	Helm.	Murray.	Stonier
Bucchin.	Henry.	Myers.	Stuart
Cadwalader	Hewitt.	Najaka.	Swope
Capano.	Hocker.	Naumann.	Tahl.
Cassidy.	Hoffman.	Needham.	Thomassy.
Chervenak	Hoopes.	Neff.	Thompson
Chudoff.	Horan.	O'Connor	Tittle.
Cochran.	Imbt.	O'Dare.	Tompkins
Cole.	Jennings.	O'Donnell.	Toomey.
Cook.	Johnson.	O'Neill.	Turner.
Cooper.	Johnston.	Orban.	Upshur.
Cordier.	Jones.	Patten.	Vaughan.
Costa.	Jump.	Petrosky.	Verona.
Crowley.	Kean.	Pichney.	Wachhaus.
Dague.	Kelley.	Pickens.	Wagner.
Dairymple.	Kemp.	Polaski.	Waldron
Davison.	Kent.	Powers.	Wallin.
De Long.	Kirley.	Price.	Walton.
Demech.	Kline.	Propert.	Waterhouse
Dennison.	Kohl.	Ragot.	Watkins
Deputy.	Kratz.	Readinger	Watson.
Dix.	Krise.	Reagan.	Weidner.
Dye.	Kurtz.	Reese D. P.	Weiss.
Efenberg.	Laughner	Reese R. E.	Wescott.
Elder.	Layer.	Reilly. J. M.	West.
Erb.	Lee.	Reilly. W. J.	Wheeler.
Evans.	Leisey.	Richter.	Wolf.
Ewing.	Livingston.	Riley.	Wood.
Feola.	Livingstone.	Robbins.	Worley.
Fish.	Loftus.	Robertson.	Yeakel.
Fiss.	Lovett.	Root.	Yester.
Flack.	Lyons.	Rose.	Yetter.
Fleming.	Madden.	Rowen	Young.
Foor.	Madigan.	Royer.	Lichtenwalter
	Mazza.	Sarra.	Speaker

NAYS—0

NOT VOTING—3

Clevenger. Nelson. Trout.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been pre-

pared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 305.

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until such conditions are corrected and providing procedure for enforcement and imposing penalties

HOUSE BILL No. 759.

An Act to amend section one of the act approved the twenty-first day of May one thousand nine hundred forty-three (P. L. 492) entitled "An act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees" permitting the conferring of civil service status on appointees in certain cases

HOUSE BILL No. 810.

An Act to further amend section one thousand eight hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by adding subsection (h) to authorize the Department of Forests and Waters to acquire by lease gift purchase or condemnation lands buildings and appurtenances thereto for port or harbor purposes

HOUSE BILL No. 890.

An Act to further amend the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled, as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties; and repealing existing laws," making the provisions thereof applicable to rating organizations authorizing the commissioner to collect prescribed fees, fines and penalties of such organi-

zations; excluding from the definition of agent and broker, in the case of title insurance companies, attorneys, licensed real estate agents and brokers and repealing certain sections

HOUSE BILL No. 908.

An Act to add four new sections to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," regulating ownership by domestic insurance companies of the capital stock of other insurance companies, conferring powers upon the Insurance Commissioner, prescribing procedure before the commissioner and on appeal and conferring powers and duties upon the Court of Common Pleas of Dauphin County

HOUSE BILL No. 910.

An Act relating to unfair methods and unfair or deceptive acts and practices in the business of insurance; defining and prohibiting such methods, acts and practices; conferring on the Insurance Commissioner the power and duty of enforcing the provisions of this act; prescribing and regulating the practice and procedure before the commissioner, and procedure for review by the courts; conferring upon the Court of Common Pleas of Dauphin County exclusive jurisdiction over certain proceedings; prescribing penalties and providing for enforcement thereof; and repealing inconsistent acts.

HOUSE BILL No. 1057.

An Act to amend section twenty-two and add section twenty-two point one to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" regulating manner of applying for and receiving grants or funds from the Federal and State Government or of any instrumentality thereof

HOUSE BILL No. 1110

An Act to amend sections two and three of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by further providing for the filing of reports and for certain deductions

HOUSE BILL No. 1112.

An Act to further amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws" authorizing the Department of Welfare with the approval of the Governor to transfer to institution districts for the care and maintenance of indigent persons property no longer required by the Commonwealth for mental hospitals

HOUSE BILL No. 1173.

An Act to amend the title of and the act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 817) entitled "An act authorizing and regulating the growth sale and distribution of forest tree seedlings and transplants by the Department of Forests and Waters regulating the use of such forest tree seedlings and transplants and imposing duties upon the Department of Agriculture with regard to the enforcement of this act" by extending its provisions to include shrubs and vines under certain circumstances

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT

Mr. SERRILL. Mr. Speaker, I move that this House do now adjourn until Thursday, May 29, 1947 at 8:30 a. m., Eastern Standard Time.

The motion was agreed to, and (at 2:36 p. m., EST) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., THURSDAY, MAY 29, 1947

No. 65.

SENATE

THURSDAY, May 29, 1947

The Senate met at 11:00 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Berks, Dr. RUTH.

Almighty God, our Heavenly Father, we thank Thee for this opportunity which Thou hast given us to serve Thee and our fellowman again. We thank Thee for Thy great love which Thou hast exhibited towards us in giving us life and liberty and opportunity, and as we turn our footsteps tomorrow to the sacred resting places of our beloved dead who made their great sacrifices, and the love which they gave us while living, inspire us that in our time we shall give the best that we have too, for those who are to follow after us. We thank Thee for those of our citizens who have gone forth to battle for our liberties and safety and have laid down their lives, and as their graves may be in distant parts of this earth, may our memories even go there and may we appreciate more fully what they have done for us.

And so use us in all the days ahead to do Thy will and to be a blessing unto our fellowmen. We ask it in Thy Holy Name. Amen!

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. WALKER, further reading was dispensed with, and the Journal approved.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL No. 438 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence House Bill No. 438, entitled:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L.

129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" deleting provisions relating to termination of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to attachment execution assignment or transfer and payable only to beneficiary designated in person

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT pro tempore. The bill as amended, will appear on the Calendar.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 631

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 631, entitled:

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 895

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "Insurance Company Act of 1921," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

BILLS SIGNED

The PRESIDENT pro tempore (M. Harvey Taylor) announced that the Chief Clerk having reported that the following bills had passed both houses of the General

Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 631, entitled:

An Act regulating the selling, offering or exposing for sale, of agricultural seeds and seed mixtures for seeding purposes; requiring certain information to be affixed to the container in which such seeds are sold; conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof; authorizing stop-sale orders by the Secretary in certain cases; providing for inspections, reports and surveys by the department, imposing powers and duties upon certain courts and prescribing penalties.

House Bill No. 895, entitled:

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "Insurance Company Act of 1921," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers.

House Bill No. 1335, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-seven, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-seven.

Whereupon,

The PRESIDENT pro tempore (M. Harvey Taylor) in the presence of the Senate signed the same.

The PRESIDENT pro tempore. The Chair at this time calls to the rostrum the gentleman from Delaware, Mr. Heyburn, to preside.

The PRESIDING OFFICER (Weldon B. Heyburn) in the Chair.

HOUSE MESSAGES

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 313

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 313, entitled:

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103), as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

The PRESIDING OFFICER. The message will be laid on the table.

HOUSE CONCURS IN SENATE BILL No. 217

He also returned to the Senate, Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two, and section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108), entitled "An act authorizing the establishment.

construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover; providing penalties, and making an appropriation;" providing a uniform method of condemnation and payment of damages in boroughs and cities

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 233

He also returned to the Senate, Senate Bill No. 233, entitled:

An Act to further amend sections five hundred two and five hundred four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 263

He also returned to the Senate, Senate Bill No. 263, entitled:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels; and increasing penalties.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 366

He also returned to the Senate, Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 448

He also returned to the Senate, Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 1013), entitled "An act regulating the is-

suance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," by permitting a master duly appointed by the orphans court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 552

He also returned to the Senate, Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL No. 616

He also returned to the Senate, Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," empowering city councils, by ordinance, to define and penalize disorderly conduct.

with the information that the House has passed the same without amendments.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 964

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 29, 1947.

Resolved (if the Senate concur), That House Bill No. 964, Printer's No. 357, entitled:

An Act to further amend sections thirty-four and thirty-eight of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 869), entitled "Pennsylvania National Guard Act," changing the basic annual allowance for all troops and decreasing the minimum allowance; and providing for expenses of headquarters.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented for concurrence bills of the House, as follows:

House Bill No. 553, entitled:

An Act to further amend the act, approved the twelfth day of May, one thousand eight hundred eighty-seven (P. L. 95), entitled "An act regulating the compensation of county auditors, within this Commonwealth," increasing the compensation of county auditors.

Which was committed to the Committee on Local Government.

House Bill No. 668, entitled:

An Act to further amend section three of the act, approved the nineteenth day of June, one thousand nine hundred eleven (P. L. 1055), entitled "Indeterminate Sentence Probation and Penitentiary Parole Law," by further regulating the payment of the salaries of probation officers and their assistants.

Which was committed to the Committee on Local Government.

House Bill No. 669, entitled:

An Act requiring in counties of the third class a building permit from the board of assessment and revision of taxes for the erection or construction of any new building or structure within the boroughs or townships of such counties and providing penalties.

Which was committed to the Committee on Local Government.

House Bill No. 674, entitled:

An Act to further amend section eleven of the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298) entitled "Fourth Class County Retirement Law," including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits.

Which was committed to the Committee on Local Government.

House Bill No. 676, entitled:

An Act to further amend the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "Fourth Class County Retirement Law," permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund, and providing that in such cases members shall be given credit as to benefits for time in military service.

Which was committed to the Committee on Local Government.

House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "Liquid Fuels Tax Law," by extending the provisions of the additional tax for a limited time; and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

Which was committed to the Committee on Highways.

House Bill No. 909, entitled:

An Act to amend section thirty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred forty-five (P. L. 1050), entitled "Local Tax Collection Law," by providing that salaries of tax collectors, their deputies, clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts.

Which was committed to the Committee on Local Government.

House Bill No. 999, entitled:

An Act to add sections ninety-seven and ninety-eight to the act, approved the second day of May, one thousand nine hundred twenty-nine, (P. L. 1278), entitled "General County Law," authorizing the formation of a State association of directors of veterans' affairs, and the payment by counties of certain expenses in connection therewith.

Which was committed to the Committee on Military Affairs and Aeronautics.

House Bill No. 1086, entitled:

An Act to amend rule fifteen of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," further regulating operations approaching inaccessible workings.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1087, entitled:

An Act to amend rule four of Article XII of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1113, entitled:

An Act to add clause XXXIV.1 to section seven hundred two of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," authorizing township supervisors to acquire by lease the use of real property.

Which was committed to the Committee on Local Government.

RECESS

Mr. TALLMAN. Mr. President, I move that the Senate do now take a recess for ten minutes, in order that there may be a meeting of the Committee on Highways in the Committee room.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

AFTER RECESS

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on State Government, reported as committed, Senate Bill No. 807, entitled:

An Act to amend Section 7 of the Act approved the 16th day of May, A. D. 1940 (P. L. 949), entitled "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania

Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investments in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by adding sub-section (d) thereto, providing for salaries for appointed members of the Commission.

He also, from the Committee on State Government, reported as amended, House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay, and making an appropriation.

Mr. WALKER, from the Committee on State Government, reported as committed, House Bill No. 200, entitled:

An Act to further amend the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled as amended "An act establishing a Pennsylvania State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employees' Retirement Fund under the Administration of the State Employees' Retirement Board providing for contributions by members of the Pennsylvania State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by increasing the amounts of the State annuities removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act

He also, from the Committee on State Government, reported as committed, House Bill No. 406, entitled:

An Act to further amend clauses six and nine of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employees, defining the uses and purposes

thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowance returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members and making further exception to compulsory membership in the system.

He also, from the Committee on State Government, reported as committed, House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital and making an appropriation therefor

He also, from the Committee on State Government, reported as committed, House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contribution by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employes to include employes of the Interstate Commission on the Delaware River Basin

Mr. WADE, from the Committee on State Government, reported as committed, Senate Bill No. 768, entitled:

An Act to repeal sections two and three of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

He also, from the Committee on State Government, reported as committed, House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department and the administrative departments boards commissioners and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing the reorganization of certain administrative department boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other

assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage.

He also, from the Committee on State Government, reported as amended, House Bill No. 850, entitled:

An Act to further amend clauses six, nine, ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employes and original member to include certain employes paid on a per diem or hourly basis.

Mr. LLOYD H. WOOD, from the Committee on State Government reported as committed, House Bill No. 596, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" including the maximum size of the State Police Force.

Mr. HARE, from the Committee on Education, reported as committed, Senate Bill No. 737, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the change of the fiscal year by districts of the second class.

Mr. SNOWDEN, from the Committee on Highways, reported as amended, House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion

engines for the generation of power providing for the collection and lien of the tax and distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

CALENDAR

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 865, as follows:

An Act to further amend section nine hundred six and to amend section one thousand two hundred one of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" reducing the number of times publication of notice of officers to be elected and time of November elections shall be given in certain counties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the ninth day of March one thousand nine hundred forty-five (P. L. 29) is hereby further amended to read as follows

Section 906 Publication of Notice of Officers to Be Nominated and Elected Beginning not earlier than twelve weeks nor later than eleven weeks before any regular Spring or Summer primary the county board of each county shall publish in newspapers as provided by section 106 of this act a notice setting forth the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary and the number of delegates and alternate delegates who are to be elected at the said primary in said county or in any district of which said county or part thereof forms a part and also setting forth the names of all public offices for which nominations are to be made and the names of all party offices including that of members of the National committee if any and State committee for which candidates are to be elected at said primary in said county or in any district of which such county or part thereof forms a part or in the State at large Said notice shall contain the date of the primary and shall be published once each week for two successive

weeks in counties of the first and second class and once in all other counties [each week for two successive weeks]

Section 2 Section one thousand two hundred one of said act is hereby amended to read as follows

Section 1201 Notice of November Elections The county board of each county shall at least ten days before each November election give notice of the same by newspaper publication in the county in accordance with the provisions of section 106 of this act once a week for two successive weeks immediately prior thereto in counties of the first and second class and once in all other counties Such notice shall set forth (a) the officers to be elected in the State at large or in said county or in any district of which said county or part thereof forms a part or in any city borough township school district poor district ward or other district which is contained in such county (b) the names of the candidates for election to Federal State county and city offices whose names will appear upon the ballots or ballot labels (c) the text of all constitutional amendments and other questions to be submitted at such election (d) the places at which the election is to be held in the various election districts of the county and (e) the date of the election and the hours during which the polls will be open Such notice may include a portion of the form of ballot or diagram of the face of the voting machine in reduced size

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO HOUSE BILL No. 865 RECALLED FROM THE GOVERNOR

Mr. HEYBURN. Mr. President, I move that the Senate do concur in the amendments made by the House to House Bill No. 865, recalled from the Governor.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blase,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No 78, on concurrence in House amendments, entitled:

An Act to further amend clauses (k) (s) and (y) of section four and to reenact and further amend section three hundred one of the act approved the fifth day of

December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employers contribution rates are determined and for a lag between the period on which contribution rates are based and the rate period and placing experience rating on a permanent basis

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 152, as follows:

An Act to reenact clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas

of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as amended exempting from the provisions thereof motor vehicles engaged in the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses six seven twenty and twenty-three of section two of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" as temporarily amended by the act approved the twenty-ninth day or May one thousand nine hundred forty-five (P. L. 1181) and the act approved the thirty-first day of May one thousand nine hundred forty-five (P. L. 1206) are hereby reenacted to read as follows

Section 2 Definitions The following words terms and phrases shall have the meanings ascribed to them in this section unless the context clearly indicates otherwise

* * * * *

(6) "Common Carrier by Motor Vehicle" means any common carrier who or which holds out or undertakes the transportation of passengers or property or both or any class of passengers or property between points within this

Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes any motor vehicle with or without driver for transportation or for use in transportation of persons or property as aforesaid and shall include common carriers by rail water or air and express or forwarding public utilities in so far as such common carriers or such public utilities are engaged in such motor vehicle operations but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor or cooperative agricultural association hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated and road construction materials (e) transportation of property by the owner to himself or to purchasers directly from him in vehicles owned and operated by the owner of such property and not otherwise used in transportation of property for compensation for others (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

(7) "Contract Carrier by Motor Vehicle" means any person or corporation who or which provides or furnishes transportation of passengers or property or both or any class of passengers or property between points within this Commonwealth by motor vehicle for compensation whether or not the owner or operator of such motor vehicle or who or which provides or furnishes with or without drivers any motor vehicle for such transportation or for use in such transportation other than as a common carrier by motor vehicle but shall not include (a) a lessor under a lease given on a bona fide sale of a motor vehicle where the lessor retains or assumes no responsibility for maintenance supervision or control of the motor vehicle so sold or (b) any bona fide agricultural cooperative association transporting property exclusively for the members of such association on a non-profit basis or any independent contractor hauling exclusively for such association or (c) any owner or operator of a farm transporting agricultural products from or farm supplies to such farm or any independent contractor hauling agricultural products or farm supplies exclusively for one or more owners or operators of farms (d) transportation of school children in any motor vehicle owned by any school district or operated under contract with any school district which transportation is lawfully paid for by the school district from district funds or (e) any person or corporation who or which uses or furnishes for use dump trucks for the transportation of ashes rubbish excavated or road construction materials or (f) transportation of voting machines to and from polling places by any person or corporation for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election (g) any person or corporation who or which uses or furnishes for use trucks for the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

* * * * *

(20) "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied any and all facilities used furnished or supplied by public utilities or contract carriers by motor

vehicle in the performance of their duties under this act to their patrons employees other public utilities and the public as well as the interchange of facilities between two or more of them but shall not include any acts done rendered or performed or any thing furnished or supplied or any facility used furnished or supplied by public utilities or contract carriers by motor vehicle in the transportation of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or in the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

* * * * *

(23) "Transportation of Passengers or Property" means any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers but shall not mean any service in connection with the receiving transportation handling or delivering of voting machines to and from polling places for or on behalf of any political subdivision of this Commonwealth for use in any primary general or special election or the transportation of logs or pulpwood used in the manufacture of paper or wood used in the manufacture of charcoal and wood chemicals

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall remain in effect for a period of two years from the date of such final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 152.

Mr. HEYBURN. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 152.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Manany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margle,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 218, as follows:

An Act to further amend the first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by further providing procedure for rejection of nomination petitions papers or certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph of section nine hundred seventy-six of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 526) is hereby further amended to read as follows

Section 976 Examination of Nomination Petitions Certificates and Papers Return of Rejected Nomination Petitions Certificates and Papers When any nomination petition nomination certificate or nomination paper is presented in the office of the Secretary of the Commonwealth or of any county board of elections for filing within the period limited by this act it shall be the duty of the said officer or board to examine the same No nomination petition nomination paper or nomination certificate shall be permitted to be filed if (a) it contains material errors or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or (b) it contains material alterations made after signing without the consent of the signers or (c) it does not contain a sufficient number of [genuine] signatures as required by law or (d) in the case of nomination petitions if nomination petitions have been filed for printing the name of the same person for the same office except the office of judge of a court of record upon the official ballot of more than one political party or (e) in the case of nomination papers if the candidate named therein has filed a nomination petition for the same office for the ensuing primary or has been nominated for the same office by nomination papers previously filed or (f) if the nomination petitions or papers are not accompanied by the filing fee or certified check required for said office or (g) in the case of nomination papers the appellation set forth therein is identical with or receptively similar to the words used by any existing party or by any political body which has already filed nomination papers for the same office or if the appellation set forth therein contains part of the name or an abbreviation of the name or part of the name of an existing political party or of a political body which has already filed nomination papers for the same office The invalidity of any sheet of a nomination petition or nomination paper shall not affect the validity of such petition or paper if a sufficient petition or paper remains after eliminating such invalid sheet The action of said officer

or board in refusing to receive and file any such nomination petition certificate or paper may be reviewed by the court of common pleas of the proper county upon an application for a writ of mandamus to compel its reception as of the date when it was presented to the office of such officer or board Provided however That said officer or board shall be entitled to a reasonable time in which to examine any petitions certificates or papers and to summon and interrogate the candidates named therein or the persons presenting said petitions certificates or papers and his or their retention of same for the purpose of making such examination or interrogation shall not be construed as an acceptance or filing

Section 2 The provisions of this act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE NON-CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 218.

Mr. HEYBURN. Mr. President, I move that the Senate non-concur in the amendment made by the House to Senate Bill No. 218.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Wilson,
Crowe,	Jaspan,	Scarlett,	Watson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 219, as follows:

An Act to add section eight hundred twelve to the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws

relating thereto and repealing certain acts and parts of acts relating to elections" providing that where members of a political party are appointed or elected to represent the members of such party in an election district said members shall constitute a political committee for such district subject to the control of the respective political committee of which they are members

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article eight of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" is hereby amended by adding thereto after section eight hundred eleven a new section to read as follows

Section 812 District Committees Whenever two or more members of a political party shall be elected or appointed as the rules of the party may provide as members of a political committee to represent the members of such party in the respective election districts such members shall constitute a political committee of said political party to function within such election district provided that when acting in the capacity of a political committee such duly elected or appointed members shall be subject to the control direction and supervision of the political committee of which they are members

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

SENATE CONCURS IN AMENDMENTS MADE BY THE HOUSE TO SENATE BILL No. 219

Mr. HEYBURN. Mr. President, I move that the Senate concur in the amendments made by the House to Senate Bill No. 219.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Taliman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS OVER IN ORDER

Mr. LANE. Mr. President, I ask unanimous consent that Senate Bill No. 284, on concurrence in House amendments, entitled:

An Act to further amend the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by imposing an additional penalty.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 318, on concurrence in House amendments, entitled:

An Act validating and confirming titles to real estate conveyed by cities of the third class unless proceedings to attack such sales are instituted within six years after the effective date of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 334, on concurrence in House amendments, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred forty-five (P. L. 382), entitled, "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds, therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates," by further providing for the incorporation of such Authorities; and further prescribing the rights powers and duties of such Authorities authorizing Authorities to charge the cost of constructing lateral sewers against properties benefited improved or accommodated thereby making such charges liens providing for the enforcement thereof and authorizing Authorities to change tapping fees for sewer connections

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 477, on final passage, recalled from the Governor, entitled:

An Act to amend sections three, four and nine of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," further providing for the mental examination of juvenile delinquents and their release or retention.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

FINAL PASSAGE CALENDAR

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 426, as follows:

An Act making real estate owned by the Commonwealth or any agency thereof subject to local taxes in certain cases and providing for the payment of such taxes by the Commonwealth or the agency thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All real estate heretofore or hereafter acquired by the Commonwealth or any agency thereof which is wholly used for any purpose other than State purposes or for the use benefit or welfare of the public shall except as herein otherwise provided on and after the first day of January one thousand nine hundred forty-eight be subject to all taxes to which such real estate would be subject if held under private ownership Such taxes shall be payable by the Commonwealth or the proper agency thereof to the various political subdivisions entitled thereto

Section 2 The provisions of this act shall not apply to any real estate heretofore or hereafter acquired by the Commonwealth or any agency thereof (a) until such real estate shall have been in the possession of the Commonwealth or agency for a period of one year in such cases said real estate shall be subject to the local taxes aforesaid on and after the first day of January next following the end of such one year period or (b) for the use of the Commonwealth in any plan for the extension of the capitol

Section 3 Each collector of taxes for any political subdivision whose duty it is to collect taxes assessed and levied against any real estate owned by the Commonwealth and made taxable under this act shall mail a statement of such taxes to the Auditor General who shall prepare requisitions therefor and the amount thereof shall be paid to such tax collector in the usual manner The tax assessed and levied against any real estate owned by any agency of the Commonwealth shall be collected from such agency

Section 4 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn	Rahausen,	Wagner,
Chapman,	Holland	Rosenfeld,	Walker,
Crider,	Homsher	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

THIRD READING CALENDAR

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 8, as follows:

An Act to further amend section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue license for parties to marry" providing that such licenses may be procured in any county validating all marriages heretofore contracted thereunder

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-third day of June one thousand eight hundred eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry" as amended in part by the acts approved the first day of May one thousand eight hundred ninety-three (P. L. 27) the eighteenth day of June one thousand eight hundred ninety-five (P. L. 202) the twenty-seventh day of March one thousand nine hundred three (P. L. 80) and as last amended by the act approved the sixth day of May one thousand nine hundred nine (P. L. 446) is hereby further amended to read as follows

Section 1 Be it enacted &c That [from and after the first day of October Anno Domini one thousand eight hundred and eighty-five no person within this Commonwealth shall be joined in marriage until a license shall have been obtained for that purpose from the clerk of the orphans' court in the county wherein either of the contracting parties resides or in the county where the marriage is performed which said license shall be in form as follows to wit Provided That one or both of the applicants shall be identified to the satisfaction of the clerk

applied to for such license A license so issued shall authorize the marriage ceremony to be performed in any county of this Commonwealth Provided however That a duplicate as provided for in section one of the marriage license act of June twenty-third one thousand eight hundred and eighty-five shall in all cases by the person solemnizing said marriage be returned duly signed to the clerk of the orphans' court of the county in which the marriage license is issued and shall by him be recorded as provided in the fourth section of said act of June twenty-third one thousand eight hundred and eighty-five no person shall be joined in marriage in this Commonwealth until a marriage license shall have been obtained from the clerk of the orphans' court of any county A license so issued shall authorize the marriage ceremony to be performed in the county where the license is issued or in any other county of this Commonwealth Prior to the issuance of said license the clerk of the orphans' court shall be satisfied as to the identity of one or both of the applicants Said license shall be in the form as follows

State of Pennsylvania

ss

County of

To any minister of the gospel justice of the peace or other [officers] officer [persons] person authorized by law to solemnize marriage

You are hereby authorized to join together in the holy state of matrimony according to the rites and ceremonies of your church society or religious denomination and the laws of the Commonwealth of Pennsylvania A..... B..... of full age and never heretofore married and C..... D..... likewise of full age and never heretofore married

Given under my hand and seal of the orphans court of said county of at this day of Anno Domini one thousand

..... Clerk

But if either of said parties be not of the full age of twenty-one years then in lieu of the words "of full age" his or her age shall be stated and the fact of consent of parents or guardians shall likewise be stated and if either of said parties shall have been married previously to the issuing of such license then in lieu of the words "never previously married" the number of times he or she shall have been previously married and the mode by which said prior marriage or marriages was or were dissolved shall be stated and if by divorce the cause for which such divorce shall have been granted

The license shall have appended to it two certificates numbered to correspond with said license (one marked original and one marked duplicate) which shall be in form as follows

I hereby certify that on the day of one thousand at and were by me united in marriage in accordance with license issued by the clerk of the orphans' court of county of Pennsylvania numbered

(Signed)

(Minister of the gospel justice of the peace or alderman)

And the certificate marked "original" shall by the person solemnizing the marriage be given to the persons married and the certificate marked "duplicate" shall be returned to the clerk of the orphans' court of the proper county as provided in section four of this act Provided That in all cases in which the parties intend solemnizing their marriage themselves no such marriage shall take place until the clerk of the orphans' court of the proper county shall certify their right so to do in declaration in the following form

To A..... B..... and C..... D..... Legal evidence having been furnished to me in accordance with the act of Assembly approved the day of one thousand eight hundred and eighty-five this certifies that I am satisfied that there is no legal impediment to you joining yourselves together in marriage

A..... B..... Clerk
And in lieu of the certificate above given there shall be appended to such declaration two certificates in the following form

We hereby certify that on the day of one thousand [eight] nine hundred and we united ourselves in marriage at in the county of having first obtained from the clerk of the orphans' court of said county a declaration that he was satisfied that there was no existing legal impediment to our so doing

A..... B.....
C..... D.....

We the undersigned were present at the solemnization of the marriage of A..... B..... and C..... D..... as set forth in the foregoing certificate

D..... E.....
E..... F.....

Section 2 All marriages heretofore contracted by any person are hereby ratified confirmed and made valid notwithstanding the fact that such license may have been obtained in one county and marriage ceremony performed in another county

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DISilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 101, as follows:

An Act to add section twenty point one to the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" further regulating the manner of reducing the number of employes in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of

Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" is hereby amended by adding thereto after section twenty a new section to read as follows

Section 20.1 If for reasons of economy lack of funds abolition of position or positions or for any other reasons it becomes necessary for any city of the second class to reduce the number of employes then the city shall following the following procedure

First If there are any employes eligible for retirement under the terms of any pension fund then such reduction in number shall be made by retirement on pension of all the oldest in age and service

Second If the number of employees eligible for retirement under the pension fund of said city if any is insufficient to effect the reduction in number desired by said city or if there is no eligible person for retirement or if no pension fund exists in such city then the reduction shall be effected by suspending the last employee or employes regardless of title or classification including probationers provisional and substitute employes that have been appointed Such removal shall be accomplished by suspending in numerical order commencing with the last employee appointed all recent appointees until such reduction shall have been accomplished Whenever the number of such employes shall be again increased in numbers or if any vacancies occur the employes suspended under the terms of this act shall be reinstated to that former class before any new appointees are appointed in reverse order to their suspensions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 161, as follows:

An Act providing compensation to certain persons who served in the military or naval forces of the United States or of any of her allies during World War II providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Citation of Act This act shall be cited as the "World War II Veterans' Compensation Act"

Section 2 Definitions As used in this act the word "veterans" includes any individual a member of the military or naval forces of the United States or of any of her allies during World War II between the seventh day of December one thousand nine hundred forty-one and the second day of September one thousand nine hundred forty-five but does not include (a) any individual at any time during such periods or thereafter separated from such forces under other than honorable conditions (b) any conscientious objector who performed no military duty whatsoever or refused to wear the uniform or (c) any alien at any time during such periods or thereafter discharged from military or naval forces on account of his alienage (d) any individual who renounced his United States citizenship during such period

The term "legal resident of this Commonwealth" means any individual who gave the State of Pennsylvania or any specific place in this Commonwealth as his or her place of residence at the time of entering the military or naval forces of the United States or of any of her allies for such period without regard to the place of enlistment commission or induction The proof of such residence shall be either the official records on file in the War Department of the United States or on file in the comparable governmental agency of any of her allies or such other evidence of bona fide residence as may be deemed sufficient by the Adjutant General of Pennsylvania

Section 3 Computation of Compensation Compensation shall be payable under this act to any veteran a legal resident of this Commonwealth and shall be computed on the basis of ten dollars (\$10) for every month and major fraction thereof of active service within the United States and fifteen dollars (\$15) for every month and major fraction thereof of active service without the United States in the military or naval forces of the United States or of any of her allies as shown by the service or other records of the veterans except that the compensation of a veteran who died in active military service during the period set for in section two of this act shall be five hundred dollars (\$500) No veterans who served less than sixty (60) days' active service shall be entitled to receive any compensation under this act Any veteran who was in active service during the periods specified shall be allowed the per month compensation as designated until the second day of March one thousand nine hundred forty-six but no veterans shall be entitled to receive compensation under this act in a sum to exceed five hundred dollars (\$500)

Section 4 Time of Service Excluded From Compensation In computing time in the service for compensation no allowance shall be made to

(a) Any civilian officer or employee of any branch of the military or naval forces contract surgeon cadet of the United States Military Academy midshipmen of the United States Naval Academy or of the Coast Guard member of the Reserve Officers' Training Corps member of the Students' Army Training Corps (except an enlisted man detailed to a training detachment of any of the foregoing) in each case for the period of service as such

(b) Any member of the Public Health Service for any period during which he or she was not detailed for active duty with the Army Navy or Marine Corps

(c) Any individual granted a farm or industrial furlough for the period of such furlough

(d) Any individual who has received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union or from any of the allies of the United States

In computing the compensation of any veteran under this act effect shall be given to all sub-divisions of this section which are applicable

Section 5 Application for Compensation Applications for compensation shall be made to the Adjutant General on such forms and in such manner as he shall prescribe

Applicants shall state on their application whether or

not they have applied for or received a bonus gratuity or compensation of a nature similar to that provided for by this act from any other state in the Union

All applications shall be made (1) personally by the veteran or (2) in case of death or mental incompetency preventing the making of a personal application then by such representative of the veteran as the Adjutant General shall by regulation prescribe. An application made by a representative other than one authorized by such regulation shall be held void.

The Adjutant General shall not accept or consider any application filed with him after the first day of July one thousand nine hundred fifty.

Section 6 Persons to Whom Payments Shall be Made in Case of Death or Mental Incapacity Whenever prior to the date of distribution of compensation under the provisions of this act a veteran entitled thereto shall have died or if such veteran shall have been or shall be authorities under any act for the payment of Federal benefits or becomes mentally incapable of receiving his or her compensation payment shall be made by the Adjutant General without proceedings in this Commonwealth.

(a) In case of mental incapacity to the guardian or committee if any of the veteran or if there be no guardian or committee then to the person with whom the veteran lives or in case of a veteran who is hospitalized in a State county or Federal institution for mental or nervous diseases upon order of the Adjutant General without regard to the residence of the veteran to the person or persons who would be entitled thereto under the provisions of this act if the veteran were deceased and in the absence of any such claimant to the superintendent manager or person in charge of such State county or Federal institution to be expended for the clothing and incidental needs of said veteran. Provided That no part of such compensation shall be paid to any county or State institution for the maintenance of the veteran. A statement from the manager superintendent or person in charge of any State county or Federal institution wherein the veteran is a patient shall be admitted in evidence to determine the mental conditions of the veteran. Such statement shall set forth that the veteran due to his weakness of mind is likely to dissipate such funds as may be due him under the provisions of this act and is apt to become the victim of designing persons.

(b) In the case of death to the following persons in the order named: Surviving unmarried widow if such widow was living with the veteran at the time of his death or if not so living with the veteran at the time of his death if she establish to the satisfaction of the Adjutant General that the living apart was not due to her wilful act and that she was actually dependent upon the veteran at the time of his death or at any time thereafter and before the final payment shall have been made by the designated authorities or surviving minor child or surviving minor children share and share alike or surviving mother or surviving father. The terms "mother" and "father" include mothers and fathers through adoption and persons who have for a period of not less than one year acted in the capacity of a foster parent to the veteran at any time prior to his or her having attained the age of eighteen (18) years.

Section 7 Application to Designate Beneficiaries Every person making application for compensation as herein provided shall set forth in his or her application the names and addresses of all persons who under this act would be entitled to receive the same in the event of the death of the applicant and if such applicant shall die before the payment of such compensation then such application shall be deemed to insure to the benefit of the person or persons next entitled thereto and payment shall be made to such person or persons upon proof of identity satisfactory to the Adjutant General. If all persons designated herein as entitled to compensation shall die before payment thereof the right to the compensation shall cease and determine Application for compensation

made in behalf of minor children shall be made by the duly appointed guardian of such children or by any person who stands in loco parentis to such minor children and payments shall be made to such guardians or persons.

Section 8 Exemption from Attachment Etc No sum payable under this act to a veteran or to any other person under this act shall be subject to attachment levy or seizure under any legal or equitable process and shall be exempt from all state taxation. No right to compensation under the provisions of this act shall be assignable except as hereinafter provided or serve as a security for any loan. Any assignment or loan made in violation of the provisions of this section shall be held void. Provided That assignments to any group or organization of veterans incorporated or unincorporated or to any nonprofit corporation heretofore formed solely for aiding disabled or incapacitated veterans and assignments to the State Veterans' Commission shall be valid. The State Veterans' Commission is hereby authorized to accept such assignments which shall be treated as confidential and the funds realized from such assignments shall be expended by said commission solely for the aid of needy veterans and their families. Except as in this section provided the Adjutant General shall not direct the payment nor shall payment be made under this act to any person other than a veteran or the representatives of a veteran as in this act provided.

Section 9 Penalties for Fees for Assisting Veterans Any person who charges or collects or attempts to charge or collect either directly or indirectly any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he or she is entitled under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than five hundred dollars (\$500) or imprisonment for not more than one year or both at the discretion of the court.

Section 10 Digest and Explanation of Act The Adjutant General shall as soon as practicable after the approval of this act prepare and publish a pamphlet or pamphlets containing a digest and explanation of the provisions of this act accompanied by such statements as he believes may be of assistance to the veterans in filing their applications and shall from time to time prepare and publish such additional or supplementary information as may be found necessary.

The pamphlet or pamphlets shall be distributed in such manner as the Adjutant General may determine to be most effective to inform veterans of their rights under this act. The Adjutant General shall enlist as far as possible the services of veteran organizations in this Commonwealth in the dissemination of such information.

Section 11 Ascertainment of Service Immediately upon the passage of this act the Adjutant General shall ascertain the individuals who are veterans as defined in section two and as to each veteran the number of months of service as defined in sections three and four for which he or she is entitled to receive compensation and his decisions shall be final and not subject to review within the express purview of this act. The decision of by any court or by any other officer. In all cases not the Adjutant General as to payment or nonpayment of compensation or eligibility therefor shall be in all things final.

Section 12 False or Fraudulent Statements Penalty Whoever knowingly makes any false or fraudulent statement of a material fact in any application certificate or document made under the provisions of this act or of any regulation made by the Adjutant General in administering this act shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars (\$1000) or undergo imprisonment of not more than five years or both at the discretion of the court.

Section 13 Administration of Act For the purpose of carrying into effect the provisions of this act the Adjutant General of the Commonwealth is charged with the administration thereof and for that purpose he shall

prepare and distribute application blanks investigate all claims and applications filed with him and if satisfied of the proof of such claim or application approve the same and direct payment thereof and shall make any regulation necessary to the efficient administration of the provisions of this act

The books papers and records together with the filing cases and equipment procured and used in the administration of this act shall become a part of the permanent records of the office of the Adjutant General

All printing necessary to carry out the provisions of this act shall be done by the Bureau of Publications on the requisition of the Adjutant General to the Department of Property and Supplies

The Adjutant General may employ the necessary clerical help and fix their salaries and pay for postage and other expenses incurred in the administration of this act In all appointments under this act preference shall so far as practicable be given to veterans as defined in this act

Employees of the Department of Military Affairs of this Commonwealth whose specific duty is to aid and assist veterans and their widows children and dependents in the prosecution of claims before the veterans administration or other branch of the Federal government are hereby authorized and empowered to administer oaths and affirmations in all matters pertaining to and concerning such claims

Section 14 Appropriation For the purpose of paying for the clerical services postage and other necessary expenses incurred by the Adjutant General in the administration of this act the sum of five hundred thousand dollars (\$500,000) or as much thereof as may be necessary is specifically appropriated to the Department of Military Affairs from funds to be hereafter provided for the payment of compensation provided for by this act

Section 15 Payment The compensation payable under with funds realized from a proposed bond issue if and this act shall be paid by the State Treasurer from the World War II Veterans' Compensation Fund to be created when authorized upon requisition by the Adjutant General

Payments under this act shall be made as soon as possible after funds thereof are available.

Section 16 Payment of Compensation Dependent on Passage of Constitutional Amendment The compensation payable under this act shall be paid only in the event that funds are provided by a constitutional amendment authorizing the Commonwealth to increase its bonded indebtedness for this specific purpose

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 172, as follows:

An Act directing the Department of Military Affairs to select procure award and provide for the furnishing of certain service medals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Military Affairs of the Commonwealth shall select procure award and provide for the furnishing at request of the veteran of a service medal at cost to honorably discharged Army Navy Coast Guard and United States Marine Corps veterans of World War II who were residents of Pennsylvania at the time of their entry into the service Provided That such medals shall be given only for service covering any period of time between the seventh day of December one thousand nine hundred forty-one and the second day of September one thousand nine hundred forty-five The detailed specifications and design shall be selected by the Department of Military Affairs

Section 2 The Adjutant General is charged with the administration of this act He shall prepare and furnish blanks and adopt rules and regulations for the issue of medals upon approved applications All applications papers and other records in the administration of this act shall become a part of the permanent records of the Department of Military Affairs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 206, as follows:

An Act to amend section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" by increasing the number of copies to be published

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the third day of May one thousand nine hundred twenty-three (P. L. 134) entitled "An act making the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic and the United Spanish War Veterans a part of the public records of the State and providing for their publication and distribution" is hereby amended to read as follows

Section 2 Not more than one thousand five hundred (1500) copies of each of such annual reports shall be printed and bound and the balance remaining after the distribution provided for in section one of this act may be requisitioned as follows The State Librarian three hundred copies the Legislative Reference Bureau and the Senate Library ten copies and the executive head of the organization of whose proceedings it is a report the remaining copies

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazler,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolf,
DiSilvestri,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 477, as follows:

An Act to further amend section fifteen and to add section fifteen point one to the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" author-

izing county treasurers to retain certain moneys collected under said act and the payment thereof to certain societies and association of individuals for prevention of cruelty to animals upon petition to and under supervision of the courts of common pleas and providing for the disposition of unexpended funds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of livestock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 456) is hereby further amended to read as follows

Section 15 The county treasurer shall keep an accurate record of all license fees and fines collected by him or paid over to him by any justice of the peace alderman magistrate or notary public and of all money received from the sale of dogs Such record shall be a public record and open to persons interested during business hours [All] Ninety per centum of such moneys received by the county treasurer shall be remitted to the State Treasurer through the Department of Revenue on the first Monday of each calendar month together with a report in duplicate of each payor on forms furnished by the Department of Revenue One copy of each such report shall be transmitted by the Department to Revenue to the Department of Agriculture

Section 2 Said act is hereby amended by adding thereto immediately after section fifteen a new section to read as follows

Section 15.1 The ten percentum of the moneys received by the county treasurer which has been retained shall be placed by him in a separate fund The court of common pleas of the county may direct the county treasurer to make payments from said fund to any incorporated society for the prevention of cruelty to animals actively engaged in carrying out its purposes in whole or in part within said county or if no such incorporated society exists in a county then to an unincorporated association of individuals whose purpose is prevention of cruelty to animals upon the petition of any such society or association setting forth that all moneys received by it from said fund shall be used for said purposes

No society or association shall present a petition to receive money from said fund more often than once a year

No money from said fund shall be paid to any society or association before it has filed its bond with approved surety for such sum as the court may fix conditioned upon the faithful application of said payments to the aforesaid purposes

Any society or association receiving money from such fund during any year shall on or before March first of the succeeding year file an itemized account in the office of the prothonotary of said county to the same proceeding as its original petition for such money setting forth in detail its entire receipts and expenditures of such money during such preceding year Any interested person may file exceptions to such account objecting to any of said

expenditures which shall be heard by the court. If the court shall find any of said exceptions to be sound it may thereafter refuse to direct that payments be made to said society or association from the aforesaid fund.

The county treasurer on the first Monday of January of each year shall remit to the State Treasurer through the Department of Revenue together with a report in duplicate of the names and amounts of money received by any such society or association under this section all unexpended funds if any collected and paid into the county treasurer's special fund during the preceding year.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 478, as follows:

An Act to add section fifteen point one to the act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" authorizing the payment of certain moneys collected under the provisions thereof to societies for the prevention of cruelty to animals upon petition to and under the supervision of the court. The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eleventh day of July one thousand nine hundred seventeen (P. L. 818) entitled "An act relating to dogs and the protection of livestock and poultry from damage by dogs providing for the licensing

of dogs regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done by dogs and payment thereof by the proper county to the owners of livestock and poultry and of damages to licensed dogs imposing powers and duties on certain State county city borough town and township officers and employes and on city councils of cities of the first and second class and providing penalties" is hereby amended by adding immediately after section fifteen a new section to read as follows

Section 15.1 In cities of the first and second class the court of common pleas of the county in which such city is located may direct the city treasurer to make payments to any incorporated society for the prevention of cruelty to animals actively engaged in carrying out its purposes in whole or in part within said city upon the petition of any such society setting forth that all moneys received by it under said order shall be used for said purposes

No society shall present a petition to receive money under this section more often than once a year. No money shall be paid to any society before it has filed its bond with approved surety for such sum as the court may fix conditioned upon the faithful application of said payments to the aforesaid purposes.

Any society receiving money under this section during any year shall on or before March first of the succeeding year file an itemized account in the office of the prothonotary to the same proceeding as its original petition for such money setting forth in detail its entire receipts and expenditures in said city during such preceding year. Any interested person may file exceptions to such account objecting to any of said expenditures which shall be heard by the court. If the court shall find any of said exceptions to be sound it may thereafter refuse to direct that payments be made to said society.

The court shall have power and authority to order only such payments from such city treasury which in the aggregate do not exceed ten per centum (10%) of the total sum of money collected from license fees by such cities under the provisions of this act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, T. N.,
Doehla,	Lane,	Stiefel,	Wood, L. H.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING AMENDED

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 507, entitled:

An Act to amend Sections eleven hundred three and eleven hundred five of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by restricting the payment of bounties to residents of the Commonwealth reducing the penalty for presentation of illegal bounty claims and clarifying the law with reference thereto

And said bill having been read at length the third time, On the question,

Will the Senate agree to the bill on third reading?

Mr. WALKER. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 2 (Sec. 1105), page 5, line 9, by inserting between the words "shall" and "make" the following: "with intent to defraud."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading, as amended?

It was agreed to.

Ordered, That the bill as amended, lie over for printing on final passage.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 533, as follows:

An Act to amend the title and act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" by extending the provisions of the act to retention in public position or on public works in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-second day of May one thousand nine hundred forty-five (P. L. 837) entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons" is hereby amended to read as follows

An Act providing for and requiring in certain cases preference in appointments to and retention in public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged and in certain cases for the widows and wives of such persons

Section 2 Said act is hereby amended by adding immediately following section six thereof a new section to read as follows

Section 6.1 Whenever a reduction in force is necessary in any public position or on public works of this Commonwealth and its political subdivisions and personnel are discharged according to seniority the number of years of service of any soldier shall be determined by adding his total years of service in the civil service or on public works to his total years of service as a member of the armed forces of the United States or in any women's organization officially connected therewith during any war in which the United States engaged

Section 3 Section eight of said act is hereby amended to read as follows

Section 8 This act shall be construed as being the exclusive law applying to the Commonwealth and its political subdivisions in giving preference to soldiers in appointment or promotion to or retention in public position or on public works

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Willson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 546, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further providing for the erection

and maintenance of traffic signals and the record of magistrates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (a) (b) and (e) of section one thousand one hundred ten of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1718) are hereby further amended to read as follows

Section 1110 Erection of Traffic Signs Signals and Markings

(a) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties cities boroughs incorporated towns and townships [of the first class] with reference to highways under their jurisdiction are hereby authorized to erect and maintain official traffic signs signals and markings Before local authorities except in cities of the first and second class shall erect or cause to be erected traffic signals they must first obtain the approval of the Secretary of Highways of this Commonwealth but this provision shall not apply to traffic signals installed at the time this amendment goes into effect while such signals are serviceable

Section 3 Subsections (a) and (b) of section one thousand two hundred five of said act are hereby amended to read as follows

Section 1205 Record of Magistrates

(a) Every magistrate shall in every case arising under this act make and preserve for the period of three (3) years an exact record of the proceeding showing the [subsection section and article violated] substance of the violation in apt language and the fine and costs paid bail forfeited if any or commitment to prison which shall be subject to inspection on demand of any person

(b) The magistrate shall deliver without charge to the defendant a receipt showing [in detail the subsection section and article violated] the substance of the violation in apt language and the amount of fine and costs imposed upon and paid by him

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Becker, Farrell, Mahany, Wade,

Berger.	Frazier,	Mallery.	Wagner,
Blass,	Celtz,	Scarlett,	Walker,
Carr,	Hare,	Snowden,	Watson,
Chapman,	Heyburn,	Stevenson,	Willson,
Crider,	Homsher,	Tallman,	Wolfe,
Crowe,	Kephart,	Taylor,	Wood, L. H.,
Doehla,	Letzler,	Tyler,	Wood, T. N.,
Donlan,	Lord,		

NAYS—16.

Barr,	Holland,	Leader,	Ruth,
Dent,	Jaspan,	Margie,	Stiefel,
DiSilvestro,	Klein,	Rahauer,	Tarr,
Haluska,	Lane,	Rosenfeld,	Woodring.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 634, as follows:

An Act to further amend sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections ten and eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as amended and reenacted by the act approved the eighth day of April one thousand nine hundred thirty-seven (P. L. 277) are hereby further amended to read as follows

Section 10 Fees for Inspection The fee for the certificate of operation for all insured and uninsured elevators shall be [one dollar] two dollars (\$2) When elevators are inspected by inspectors of the department the following fees shall be charged in addition to the certificate fee

For passenger elevators fees not exceeding [twelve] eighteen dollars (\$18) per annum

For freight elevators including gravity elevators fees not exceeding [six] nine dollars (\$9) dollars per annum

For dumb-waiters hoists and other lifting apparatus fees not exceeding [three] four dollars and fifty cents (\$4.50) per annum

For building hoists fees not exceeding [three] four dollars and fifty cents (\$4.50) for each inspection

Section 11 Approval of Plans Before any elevator shall be erected and installed or undergo repairs amounting to one-half or more of the original value of the said elevator detailed plans and specifications of the said apparatus in duplicate shall be submitted to the department for approval The application for the approval of plans of elevators shall be accompanied by the following fees Dumb-waiters [five] seven dollars and fifty cents (\$7.50) freight elevators [seven] ten dollars [and fifty cents] (\$10) and passenger elevators [ten] fifteen dollars (\$15) If the said plans are approved a permit for the erection or repair of such elevator shall be issued by the department and a final inspection shall be made of the apparatus when installed or repairs completed before final

approval shall be given by the department. The elevator shall not be operated until such final inspection and approval be given unless a temporary permit be granted by the department.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Ruth,	Walker,
Carr,	Hare,	Scarlett,	Watson,
Chapman,	Heyburn,	Snowden,	Wilson,
Crider,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, T. N.,
Doehla,	Letzler,	Taylor,	Wood, L. H.,
Donlan,	Lord,	Tyler,	

NAYS—15

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Margie,	Tarr,
DiSilvestro,	Klein,	Rahauser,	Woodring,
Haluska,	Lane,	Rosenfeld,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 635, as follows:

An Act to further amend section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" increasing fees for inspection and certificates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1513) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as last amended by the act approved the twenty-seventh day of May one thousand nine hundred thirty-seven (P. L. 912) is hereby further amended to read as follows

Section 11 Fees for Inspection and Certificate The fee for the certificate of operation for all insured and uninsured boilers shall be [one dollar] two dollars. When boilers are inspected by inspectors of the department the following fee shall be charged in addition to the certificate fee

For the internal and external inspection while not under pressure of a boiler having a grate area of not more than ten square feet the fee shall be [five dollars] seven dollars and fifty cents. For the internal and external inspection of a boiler while not under pressure having a grate area of more than ten square feet the fee shall be [five dollars] seven dollars and fifty cents and in addition ten cents for every square foot of grate area in excess of ten square feet

For the external inspection of a boiler while under operating conditions the fee shall be [two dollars and fifty cents] three dollars and seventy-five cents

For the inspection of a miniature boiler the fee shall be [two dollars] three dollars

For a hydrostatic test of any boiler a fee of [five dollars] seven dollars and fifty cents shall be charged in addition to the inspection fees hereinbefore provided for

For unfired pressure vessels the fee for an external inspection shall be [two dollars] three dollars

For the internal inspection of an unfired pressure vessel having a superficial area of not more than forty square feet the fee shall be [two dollars and fifty cents] three dollars and seventy-five cents

For the internal inspection of an unfired pressure vessel having a superficial area of more than forty square feet the fee shall be [two dollars and fifty cents] three dollars and seventy-five cents and in addition [five] seven and one-half cents for every square foot of superficial area in excess of forty square feet not to exceed a maximum fee of [fifteen dollars] twenty-two dollars and fifty cents

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,	Farrell,	Mahany,	Wade,
Berger,	Frazier,	Mallery,	Wagner,
Blass,	Geltz,	Ruth,	Walker,
Carr,	Hare,	Scarlett,	Watson,
Chapman,	Heyburn,	Snowden,	Wilson,
Crider,	Homsher,	Stevenson,	Wolfe,
Crowe,	Kephart,	Tallman,	Wood, L. H.,
Doehla,	Letzler,	Taylor,	Wood, T. N.,
Donlan,	Lord,	Tyler,	

NAYS—15

Barr,	Holland,	Leader,	Stiefel,
Dent,	Jaspan,	Margie,	Tarr,
DiSilvestro,	Klein,	Rahauser,	Woodring,
Haluska,	Lane,	Rosenfeld,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 645, as follows:

An Act to amend the title and section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Service-men's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" extending the provisions thereof to loans made insured or guaranteed under the "Bankhead-Jones Farm Tenant Act" and other Federal legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the sixth day of April one thousand nine hundred forty-five (P. L. 164) entitled "An act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions

of the act of Congress known as the "Servicemen's Readjustment Act of 1944" or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein" are hereby amended to read as follows

An Act authorizing and empowering minors seventeen years of age or older to contract for and to make loans in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" and other acts or any agency of the Commonwealth hereafter created and saving and relieving the parents guardians and trustees of such minors from any liability therefor unless joining therein

Section 1 Any minor who is at least seventeen years of age is hereby authorized and empowered to enter into any contract in this Commonwealth for any loan or loans made insured or guaranteed by the United States or any agency thereof in accordance with the provisions of the act of Congress known as the "Servicemen's Readjustment Act of 1944" as amended and supplemented and the rules and regulations promulgated from time to time pursuant thereto or under the provisions of Titles I or II of the Bankhead-Jones Farm Tenant Act (7 USC 1000 to 1029 Public Law 210 75th Congress of the United States approved July 22 1937) as amended by the Farmers Home Administration Act of 1946 (Public Law 731 79th Congress of the United States approved August 14 1946) and other similar Federal legislation or any agency of the Commonwealth hereafter created and such minor is also authorized and empowered to execute and acknowledge all documents deeds mortgages and other or similar papers necessary and incident to such contracts In the event such a minor obtains such a loan or loans he shall not despite any law or decision of any court to the contrary be permitted to avoid the contract of such loan or loans because of his age nor shall he be permitted to interpose the defense that he is a minor in any action or actions based upon such contract or contracts or documents incident thereto or arising out of any loan or loans authorized herein nor shall the parent or parents or guardian or guardians or trustee or trustees of such minor be liable in any way whatsoever because of or on account of such contract or contracts or loan or loans which may be entered into by such minor pursuant hereto unless expressly a party thereto

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Taliman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 689, on third reading, entitled:

An Act to further amend the act approved the seventeenth day of June one thousand nine hundred thirteen (P. L. 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing further for the assessment collection and lien of the tax granting certain enforcement and investigatory powers to taxing authorities and imposing duties on certain county officers

be placed on the Third Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 690, on third reading, entitled:

An Act relating to costs in desertion and non-support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 691, on third reading, entitled:

An Act relating to costs in fornication and bastardy and failure to support cases placing said costs upon defendants and imposing duties upon courts and certain county officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 707, as follows:

An Act relating to boarding houses for children providing for the licensing and inspection thereof and the adoption of rules and regulations for the maintenance operation and conduct thereof by the Department of Welfare defining offenses and prescribing penalties and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Definition Exclusions The term "boarding house for children" as used in this act shall mean any place maintained operated and conducted for hire gain or reward for the reception of more than two children between the ages of three and sixteen years of age who are unaccompanied by parent or guardian for the purpose of providing such children with full time care food and lodging The term "boarding house for children" shall not be construed to include (1) institutions maintained by the Commonwealth or any political subdivision thereof (2) institutions boarding houses foster homes or any other places for the care of children to which the several courts

of the Commonwealth or the county institution districts shall send children (3) Any place conducted by or in which children may be placed by institutions and social agencies duly incorporated as nonprofit corporations whose corporate purposes include the placement and care of children (4) Any bona fide nonprofit educational institution whether incorporated or not (5) any place conducted by a person or persons related to the children received therein by blood or marriage within the second degree (6) vacation boarding houses caring for children for a period of time not to exceed sixty (60) days (7) any place selected by a parent for the temporary care of his children gratuitously or for pay during his absence or (8) places licensed under any other law of this Commonwealth.

The word "department" as used in this act shall mean the Department of Welfare of the Commonwealth.

Section 2 Maintenance Without License Prohibited No person or persons not expressly exempted as above provided shall maintain operate or conduct any boarding house for children without having a license therefor issued by the Department of Welfare.

Section 3 Application for License Any person or persons desiring to secure a license for maintaining operating and conducting a boarding house for children shall make application therefor to the department upon forms to be prepared and furnished by the department.

Section 4 Issuance of License The department when satisfied that the applicant or applicants for such license are proper persons that the place proposed to be used as a boarding house for children is a fit and suitable place for such purpose and that all the requirements of this act and the rules and the regulations of the department promulgated hereunder have been complied with shall issue such license without cost and shall keep a record thereof and of the application therefor.

Section 5 Term and Contents of Licenses All licenses issued by the department shall be for a period of not more than one year. The license shall state the name of the licensee or licensees the particular premises where such boarding house may be maintained operated and conducted and the maximum number of children which may be boarded therein at one time. Applications for renewal of licenses shall be made in the same manner and shall be subject to the same qualifications as applications for original licenses. No fee shall be charged for such renewals.

Section 6 Number of Children to be Kept Posting License No greater number of children than is authorized by the license therefor shall be kept at any one time in any boarding house for children. The license shall at all times be posted in a conspicuous place on the premises wherein such boarding house for children is maintained.

Section 7 Records to be Kept by Licensees Every person licensed to maintain operate and conduct a boarding house for children shall keep a record in duplicate of every child received the date of its reception the name and address of the person from whom received the date of its discharge and the name and address of the person institution court or agency to whom delivered or discharged. The Department shall prescribe and furnish forms for such records together with such instructions as may be required to secure the complete detailed registration of all children received by such boarding houses or released therefrom. One copy of each record shall be retained by the licensee. The other shall be forwarded to the department within a period of thirty days after each child is received in or discharged from the boarding house for children.

Section 8 Department to Adopt Rules and Regulations The department is hereby authorized and empowered to adopt rules and regulations not inconsistent with the provisions of this act for the issuance and renewal of such licenses and the proper maintenance operation and conduct of such licensed boarding houses for children and for the effective enforcement thereof. Such rules and regulations shall be designed to insure normal lives for all children maintained in boarding houses for children.

Section 9 Right to Enter and Inspect the Premises

Any employe or authorized agent of the department the health authorities in cities of the first and second class shall have the right to enter visit and inspect all boarding houses for children licensed or applying for license under this act for the purpose of determining the suitability of the applicants or licensees and the premises for a license or to determine whether they are properly conducted and that the children therein are being properly treated cared for and maintained.

Section 10 Suspension of License Whenever the department finds that any boarding house for children licensed under this act is not properly maintained operated and conducted or that the children therein have been subjected to mistreatment or abuse it shall suspend the license of such boarding house and shall note such suspension upon the face of the record thereof and shall give written notice of such suspension to the licensee or licensees by delivering the notice to him or them in person or by registered mail or by leaving it with an adult person residing on the licensed premises. Whenever any license is suspended by the department the written notice of suspension shall specify the reason for such suspension and shall direct the licensee to correct or remedy the causes of the suspension within a period of time to be specified in the notice.

Section 11 Revocation of License If at the end of the period of suspension or such further time as the department in its discretion may grant the cause or causes have not been remedied or corrected the department shall petition the juvenile court or court having similar jurisdiction of the county wherein such boarding house for children is located to revoke the license and to direct the disposition of the children maintained therein. If after hearing at least ten days' notice of which shall be given to the licensee the court is satisfied that the licensed place is not properly conducted or that the children therein are not properly treated cared for or maintained it shall enter a decree revoking the license granted by the department and directing the disposition of the children maintained therein.

Section 12 Discretion of courts and existing child placement agencies Nothing contained in this act shall be construed to interfere with the discretion of the several courts of the Commonwealth of Pennsylvania or of any of the existing child placement agencies of this commonwealth to place any child in any institution boarding house for children foster home or other place for the care of children.

Section 13 Offenses Penalty Any person who operates a boarding house for children without having obtained a license within thirty days after being notified by the department so to do or who operates a boarding house for children after his license has been revoked shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding two hundred dollars (\$200) or undergo imprisonment not exceeding six months or both in the discretion of the court.

Section 14 Appropriation The sum of fifty thousand dollars (\$50,000) or as much thereof as may be necessary is hereby appropriated to the Department of Welfare for the two fiscal years beginning the first day of June one thousand nine hundred forty-seven for the purpose of administering and enforcing the provisions of this act.

Section 15 Effective Date This act shall become effective the first day of January one thousand nine hundred forty-eight.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DISilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 726, as follows:

An Act to amend section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedent's widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" limiting the number of successive weeks during which the granting of letters testamentary or of administration must be advertised

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts

of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisal of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the courts of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" is hereby amended to read as follows

Section 10 The executors or administrators of every decedent shall immediately after the granting of letters testamentary or of administration to them cause notice thereof to be given in one newspaper published at or near the place where such decedent resided and in the legal periodical if any designated by rule of court for the publication of legal notices once a week [during at least six] for three successive weeks together with their names and places of residence and in every such notice they shall request all persons having claims or demands against the estate of the said decedent to make known the same and all persons indebted to the said decedent to make payment to them without delay

Section 2 In each county the present law as to advertising the granting of letters testamentary or of administration shall remain in effect until the orphans' court shall be general rule prescribe otherwise

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,
Becker,
Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DISilvestro,
Doehla,
Donlan,
Farrell,

Frazier,
Geltz,
Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Lord,
Mahany,
Mallery,
Margie,
Rahauser,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tarr,
Taylor,
Tyler,
Wade,
Wagner,
Walker,
Watson,
Wilson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 741, as follows:

An Act to amend the fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" by requiring depositories of city funds and other funds for which the city acts as custodian or trustee to give security and defining such security

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fifth paragraph of article seven of the act approved the seventh day of March one thousand nine hundred one (P. L. 20) entitled "An act for the government of cities of the second class" is hereby amended to read as follows

Article VII

Department of City Treasurer

The treasurer shall keep the accounts arising from the several sources of revenue and income separate and distinct from one another and shall make daily deposits of all moneys received by him in such banks or institutions as may be designated by councils and shall make specific reports daily to the controller of all receipts and deposits and of all moneys withdrawn from the treasury and shall present and verify his cash account in such manner and as often as may be required All depositories of city funds or other funds for which such city or any officer or employee thereof shall act as custodian or trustee wherein the legal or equitable title in such funds shall belong to persons copartnerships corporations or the Federal or State government or any agency or subdivision thereof other than such city shall upon the receipt of notice of their selection as depositories of city or other funds furnish a bond to secure payment of deposits and interest to the city with a proper warrant of attorney to confess judgment in favor of the city secured by a surety company or individual sureties to be approved by the Court of Common Pleas Such bonds shall in all cases be in the amount of the deposit to be made If a corporate bond is given no one surety company shall be approved in an aggregate amount in excess of five times the capital surplus and reserve Whenever individual sureties are presented for approval they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the deposit No one person may qualify for more than one-fourth of the total amount of the bond required Provided That in lieu of surety bonds of surety companies or of individual sureties the deposit of city or other moneys may be secured by the deposit with the city treasurer of bonds of the United States or of any county municipality or municipal district of the Commonwealth equal to the deposit so secured and twenty per centum in addition thereto Said bonds shall be accompanied by a proper assignment or power of attorney to transfer the same and any such deposit of securities shall be maintained to the full amount required in case of any depreciation in value thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Berger,
Blass,
Carr,
Chapman,
Crider,
Crowe,
Dent,
DiSilvestro,
Donlan,
Farrell,

Haluska,
Hare,
Heyburn,
Holland,
Homsher,
Jaspan,
Kephart,
Klein,
Lane,
Leader,
Letzler,

Mallery,
Margie,
Rahausen,
Rosenfeld,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,

Tyler,
Wade,
Wagner,
Walker,
Watson,
Willson,
Wolfe,
Wood, L. H.,
Wood, T. N.,
Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 762, as follows:

An Act to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" by providing for the payment over of the foreign fire insurance tax by municipalities to relief fund associations and pension funds covering employees in fire departments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" as last amended by the act approved the thirtieth day of April one thousand nine hundred thirty-five (P. L. 122) is hereby further amended to read as follows

Section 2 On and after the first day of January one thousand nine hundred and nineteen and annually thereafter there shall be paid by the State Treasurer to the treasurers of the several cities townships and boroughs within the Commonwealth the entire net amount received from the two per centum tax paid upon premiums by foreign fire insurance companies The amount to be paid to each of the treasurers of the several cities townships and boroughs shall be based upon the return of said two per centum tax upon premiums received from foreign fire insurance companies doing business within the said cities townships and boroughs as shown by the report made to the Department of Revenue Each city borough or township receiving any payment from the State Treasurer hereunder shall forthwith pay the amount received to the relief fund association of or the pension fund covering the employees of the fire department or of such fire company or fire companies paid or volunteer now existing or hereafter organized in such city borough or township as is or are engaged in the service of such city borough or township and duly recognized as such by the council or commissioners or supervisors as the case may be of such

Barr,
Becker,

Frazier,
Geltz,

Lord,
Mahany,

Tarr,
Taylor,

city borough or township In any borough or township in which there is no fire department or fire company or companies the amount received by the treasurer of the borough or township from said tax shall be forthwith paid to the relief fund association or pension fund of the fire department or fire company or companies of any near or adjacent city borough or township the fire department or fire company or companies of which afford fire protection to the inhabitants of such borough or township before payment of said tax to the treasurer of any such borough or township the burgess in boroughs and the secretary of the board of supervisors in townships shall first certify to the Auditor General that the fire department or fire company or companies of such near or adjacent city borough or township afford fire protection to the inhabitants of such borough or township Provided That if the fire department consists of paid and volunteer firemen and the paid firemen shall be covered by a pension fund then the two per centum tax aforesaid shall be divided equally between the relief fund association of the volunteer firemen and the pension fund for the paid firemen Warrants for the above purposes shall be drawn by the Auditor General payable to the treasurers of the several cities townships and boroughs in accordance with this act whenever there are sufficient funds in the State Treasury to pay the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50.

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridger,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 779, as follows:

An Act to amend section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for a rule upon respondent to furnish a bill of particulars in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section forty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 40 Bill of Particulars In any suit or action in divorce it shall be lawful for the respondent at any time after the return of the subpoena to enter a rule upon the libellant to furnish a bill of particulars of the cause of action as set forth in the libellant's petition filed and if the same be not furnished by the libellant within thirty days after service of notice of the rule entered unless the court shall upon cause shown extend the time the court shall enter judgment of non pros

In any suit or action in divorce in which the respondent's answer alleges that libellant has committed adultery desertion cruel and barbarous treatment or indignities to the person of the respondent the court may on petition by the libellant grant a rule upon the respondent to furnish a bill of particulars relating to such allegations, as set forth in the respondent's answer and if the same be not furnished by the respondent within thirty days after entry of the rule or such other time as the court shall fix the respondent shall not be permitted to introduce evidence in proof of such allegations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	T.
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Cridger,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 940, as follows:

An Act to amend subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" allowing counties of the second class to expend county moneys for aiding townships to construct or complete water systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (e) of article five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding at the end thereof a new section to read as follows

Section 451 Aid to Townships for Water Systems The board of county commissioners of counties of the second class may appropriate moneys from the county treasury

to aid townships to construct or complete water systems where such water systems have been first approved by the State Department of Health

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1010, as follows:

An Act to aid in alleviating the acute housing shortage by authorizing housing authorities to provide housing for veterans and families of servicemen and to cooperate with the Federal Government for such purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 It is hereby declared that an acute housing shortage exists in many areas of this State so that families of returning veterans and of servicemen are unable to obtain housing and that returning veterans are being denied their rights to education because of the lack of housing at educational institutions and therefore a public exigency emergency and distress now exists and the providing of housing for such persons constitutes a public use and purpose for which public money should be spent and private property acquired and is a governmental function of State concern

Section 2 Whenever used in this act the term "veterans" shall include any person who has served in the military or naval forces of the United States during World War II and who has been discharged or released therefrom under conditions other than dishonorable "servicemen" shall include any person in the military or naval forces of the United States who served therein during World War II "families of servicemen" shall include the families of persons who died in the armed forces of the United States during World War II "housing authority" shall mean any housing authority established or hereafter established pursuant to any act of assembly "Federal Government" shall mean the United States of America or any agency or instrumentality thereof corporate or otherwise

Section 3 For the purpose of making housing available for veterans and their families or single veterans

and for families of servicemen in those areas of the State where sufficient housing accommodations are not available and private enterprise is not providing an adequate supply of housing within the means of such families or persons any housing authority may

(a) acquire real or personal property by purchase gift lease bequest or otherwise and exercise the power of eminent domain for the acquisition of real property

(b) clear and prepare sites on which any such housing is to be located and install streets sidewalks utilities and other necessary facilities

(c) construct or otherwise provide housing or other structures that can be used as dwellings and remove such housing that is of a temporary character after it has served the purposes of this act

(d) operate such housing for the purposes of this act

(e) provide or assist in providing transportation where necessary in order to enable the use of housing where suitable transportation (based on the nature and extent of service and the rates) is not otherwise available.

(f) borrow money and accept grants from the Federal Government the State or from other local agencies or other sources

(g) comply with such terms and conditions as may be prescribed by the Federal Government in obtaining assistance from it for the purposes of this act and

(h) take such other action as is necessary to carry out the purposes of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1011, as follows:

An Act to declare valid and legal the development and administration of housing projects for veterans and servicemen of World War II and their families and to declare valid and legal all contracts agreements obligations undertakings indebtedness applications and all proceedings acts and things heretofore undertaken performed or done with reference thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That all proceedings acts and things heretofore undertaken performed or done with reference to the development construction management administration maintenance or operation of housing projects for veterans and servicemen of World War II and their families by

any municipality or housing authority of the Commonwealth are hereby validated ratified confirmed approved and declared legal in all respects

Section 2 That all contracts agreements obligations undertakings indebtedness and appropriations of municipalities and of housing authorities heretofore entered into undertaken and made relating to the financing or aiding in the development construction management administration maintenance or operation of any housing projects for veterans and servicemen of World War II and their families together with all proceedings acts and things heretofore undertaken performed or done with reference thereto are hereby validated ratified confirmed approved and declared legal in all respects

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1060, as follows:

An Act to further amend clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further providing for the membership of the State Military Reservation Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the sixth day of June one thousand nine hundred forty-five (P. L. 1398) is hereby further amended to read as follows

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(a) The State Military Reservation Commission shall consist of the Governor [the Major General commanding the National Guard of Pennsylvania any Major General who commands has commanded or shall hereafter command the National Guard of Pennsylvania who shall retire from the service subsequent to the first day of January one thousand nine hundred thirty-three regardless of such retirement] the Adjutant General [the Brigadier General commanding brigades the Chief of Staff of the Twenty-eighth Division] all active General Officers of the National Guard of Pennsylvania and two other members to be appointed by the Governor

The commission shall elect from among its members a chairman and a secretary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1118, on third reading, entitled:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the provisions relative to the making of certain contracts and further regulating same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 1225, as follows:

An Act to further amend the fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" by further providing for the terms of legislative members of the Pennsylvania Aeronautics Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The fifth paragraph of section four hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" as last amended by the act approved the fifteenth day of May one thousand nine hundred forty-five (P. L. 542) is hereby further amended to read as follows

Section 407 Pennsylvania Aeronautics Commission
The non-legislative members of the commission first

appointed under this act [and the legislative members first appointed] shall continue in office for terms of one two three and four years respectively and until their respective successors shall be duly appointed and shall have qualified but their successors shall be appointed for terms of four years Each legislative member shall be appointed for a term to expire with his concurrent term as a legislator and shall serve until his successor is appointed and qualified unless he shall not be elected for the next succeeding term as a member of the General Assembly in which case a vacancy shall occur

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahausen,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Homsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,
Donlan,	Leader,	Tallman,	Woodring,
Farrell,	Letzler,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 588 CALLED FROM THIRD READING POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I call from the Reading Postponed Calendar, Senate Bill No. 588, for consideration at this time.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 588, as follows:

An Act to further amend section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the furnishing of free transportation or board and lodging in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred eighteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth

of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the acts approved the thirteenth day of May one thousand nine hundred thirty-seven (P. L. 605) the first day of July one thousand nine hundred thirty-seven (P. L. 2583) and the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 786) is hereby further amended to read as follows

Section 1418 (a) In case there is no public school in session within two miles by the nearest public highway of the residence of any child such child shall be exempt from the provisions of this act relating to compulsory attendance unless proper free transportation be furnished to such child to and from school If proper free transportation is furnished to any such child of compulsory school age to and from school the Commonwealth shall reimburse any school district of the fourth class or any school district of the third class which is located wholly within the boundary lines of a township furnishing such transportation in the same manner and amounts as provided for in this act for transportation of pupils from closed schools In all school districts under the direction of a county superintendent all transportation routes to be used after the first day of July one thousand nine hundred and thirty-eight shall be established with the advice and assistance of the county board of school directors In any case where after such date two or more such districts jointly use the same transportation facilities the cost of such transportation shall subject to the approval of the State Council of Education be apportioned among such districts by the county board of school directors

(b) After the first day of July one thousand nine hundred forty-eight in case there is no public school with the proper grades in session within two miles by the shortest public highway of the residence of any child in a school district of the fourth class or in a township which is a school district of the third class such child shall be furnished proper transportation at the expense of the school district to and from a school with the proper grades

(c) When it is not feasible to provide such transportation the board of school directors may in lieu thereof with the approval of the Department of Public Instruction pay for suitable board and lodging for any such child Provided That in no case shall the State's share of the cost exceed one dollar (\$1) per day per pupil for the actual number of days such pupil is in attendance at school not exceeding five days in any one week

(d) It shall be unlawful for any driver or owner of a vehicle transporting pupils under a contract with a school district or for any member of or board of school directors to demand request or accept any compensation for transporting pupils other than the compensation stipulated in the contract filed with and approved by the Department of Public Instruction

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—50

Barr,	Frazier,	Lord,	Tarr,
Becker,	Geltz,	Mahany,	Taylor,
Berger,	Haluska,	Mallery,	Tyler,
Blass,	Hare,	Margie,	Wade,
Carr,	Heyburn,	Rahauser,	Wagner,
Chapman,	Holland,	Rosenfeld,	Walker,
Crider,	Hornsher,	Ruth,	Watson,
Crowe,	Jaspan,	Scarlett,	Wilson,
Dent,	Kephart,	Snowden,	Wolfe,
DiSilvestro,	Klein,	Stevenson,	Wood, L. H.,
Doehla,	Lane,	Stiefel,	Wood, T. N.,

Donlan,
Farrell,

Leader,
Letzler,

Tallman,

Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. CRIDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRIDER. from the Committee on State Government, reported as committed, House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department; thereof and the administrative departments, boards, commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by further defining the duties of the Department of Property and Supplies regarding State institutions.

He also, from the Committee on State Government reported as committed, House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members so as to extend the benefits of the act to employes of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor.

Mr. LETZLER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LETZLER. from the Committee on Education, reported as amended, Senate Bill No. 733, entitled:

An Act to further amend section one hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing that school districts of the third class shall not be created without the consent of the State Council of Education.

Mr. RAHAUSER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RAHAUSER from the Committee on State Government, reported as committed, Senate Bill No. 760, entitled:

An Act to further amend section two hundred five, subsection (2) of section two hundred six and sections five hundred one, five hundred two, five hundred seven, eight hundred two and eight hundred seven, and to amend subsection (b) of section three, Article II, sections three hundred one, four hundred one, six hundred three, six hundred four, six hundred six, six hundred seven, seven hundred one, seven hundred four, eight hundred four, eight hundred six and nine hundred four of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personal Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth, and repealing an existing law.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined," as amended, by further changing the provision relating to the maximum compensation of the State Civil Service Commission.

He also, from the Committee on State Government, reported as amended, House Bill No. 1122, entitled:

An Act providing for the payment of salary wages medical and hospital expenses of employes of a jail prison workhouse penitentiary penal reformatory or correctional institution hospitals for the insane or any institution for the feeble minded or epileptic persons for inebriates or for juvenile delinquents and dependents maintained in whole or in part by the Commonwealth or any county within the Commonwealth who are injured in the performance of their duty and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability.

SECOND READING CALENDAR

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 3, entitled:

An Act making an appropriation to the Schuylkill River Desilting Fund for use by the Water and Power Resources Board in continuing the work of correcting existing and preventing future silting of the Schuylkill River above Norristown

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 77, on second reading, entitled:

An Act to amend subsection (a) of section three hundred seven subsection (d) of section three hundred ten and section three hundred eleven of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) entitled "An act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractual relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the

construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act" by applying the prudent investment standard to utility property in fixing rates in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 88, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement of Laurel Dam and Laurel Lake of the Commonwealth of Pennsylvania in Cook Township Cumberland County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 92, on second reading, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand nine hundred twenty-nine (P. L. 170) entitled "An act to regulate and establish the fees to be charged by justices of the peace and aldermen in this Commonwealth and imposing liability for costs upon the county in certain cases" increasing the fees and costs in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 93, on second reading, entitled:

An Act to amend section one of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1158) entitled "An act to fix regulate and establish the fees to be charged and received by constables in this Commonwealth" increasing the fees in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 106, on second reading, entitled:

An Act to amend the title of and the act approved the twenty-fourth day of May one thousand nine hundred forty-five (P. L. 967) entitled "An act making it unlawful for any individual or individuals to carry on any business under an assumed or fictitious name style or designation unless upon advertisement and the filing of an application to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring nonresident applicants to have a resident agent prescribing the effect of failure to file such application providing that certificates of the Secretary of the Commonwealth shall be admitted in evidence requiring county commissioners at the expense of the county to provide books or other means of reproduction for the entry of such applications requiring the cancellation of such application or the withdrawal from the business providing methods therefor fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" including corporations within the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 182, entitled:

An Act to further amend clause (c) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pension for the blind, old age assistance, and the State Emergency Relief Board," by changing the qualifications relating to pensions of blind persons.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 195, on second reading, entitled:

An Act prohibiting discrimination in rate of pay because of sex conferring powers and imposing duties on the Department of Labor and Industry and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 230, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168 No. 294) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" making it an unfair labor practice for labor organizations to deny membership to certain persons engaged or willing to engage in the trade or industry in which such organization is active to discriminate against members in employment to use membership qualifications as a means of limiting the number of employees available in the labor market to limit the operation or conduct of employment or placement services or to interfere with the employer's right to hire persons of his own choosing.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 280, on second reading, entitled:

An Act relating to relations between employers and employees creating a Division of Conciliation in the Department of Labor and Industry defining its powers and duties providing procedures for collective bargaining conciliation and arbitration limiting right to strikes and lockouts providing procedures for taking a secret ballot before a strike is instituted providing for the determination of jurisdictional disputes establishing financial responsibility of labor organizations and their liability for suits for breach of contract.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 345, on second reading, entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 233) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employees of the Bureau of Police in cities of the second class providing a pension fund for said employees and providing for the payment of certain dues fees assessments fines and appropriations thereto regulating membership therein creating a board for the management thereof providing the amount mode and manner of payment to beneficiaries thereof and for the care and

disposition of said funds providing for the payment into this fund by cities of the second class of all monies heretofore payable into any other funds organizations corporations or associations having the same or similar purposes and of such additional monies as may be necessary to carry out the provisions of this act" to fix terms for which personnel of board of managers shall be elected to change the method of determining availability for disability pensions to fix the amount of contributions of members and pension payments to beneficiaries and to provide in certain circumstances for the return of contributions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further defining certain terms declaring certain additional labor practices of employers and employees to be unfair authorizing the Pennsylvania Labor Relations Board to conduct strike votes and votes to return to work by secret ballot and further defining this scope of collective bargaining.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 365, entitled:

An Act to further amend the first paragraph of section two hundred twenty and to add clause (n) to section two hundred eighty-five of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident

fishing license fee and limiting the use of a part of the money derived from such increase.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 387, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission to prepare a reprint of "Frontier Forts"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 437, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the further restoration preservation and improvement of Drake Well Memorial Park birthplace of the petroleum industry

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 455, entitled:

An Act making an appropriation from the General Fund to the Department of Property and Supplies for use at any existing or new State-owned Institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 466, entitled:

An Act making an appropriation to the Department of Commerce to be used by the Pennsylvania Aeronautics Commission for the encouragement and development of aeronautics

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 467, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the use of the Pennsylvania Aeronautics Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-five) entitled "An act making an appropriation to the Department of Military Affairs for construction of armories and the repair and improvement of present armory buildings for the acquisition by purchase or condemnation of additional lands for the Military Reservation at Indian Gap for post-war repairs to monuments in France and Belgium and for construction of new buildings and repairs and improvements to existing buildings at the Indiantown Gap Military Reservation" by reducing the amount appropriated by said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 500, entitled:

An Act to add sections ninety-eight and ninety-nine to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing and regulating the formation of a state association by prothonotaries and clerks of the court of quarter sessions and providing that certain expenses are to be paid by the counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 529, on second reading, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania authorizing agreements between Redevelopment Authorities and local taxing authorities limiting for a term not exceeding twenty-five years the amount of annual taxes to be levied upon land acquired for urban redevelopment

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 558, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (Appropriation Acts page fifty-six) entitled "An act making an appropriation to the Department of Property and Supplies for the purchase or condemnation of land for the preparation of a comprehensive plan for the Capitol Park Extension for the construction of new buildings including a memorial building to honor the memory of William Penn and other necessary buildings for the State archives libraries and museum for the repair demolition and improvement of existing buildings in Capitol Park and Capitol Park Extension for the razing of buildings and relocation of water sewerage utility lines and other facilities or payment to the City of Harrisburg for such relocation and for grading paving and otherwise developing Capitol Park and the Capitol Park Extension" by reducing the amount appropriated by said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 577, entitled:

An Act making a deficiency appropriation to aid certain school districts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 596, entitled:

An Act to further amend section four hundred forty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing appropriations for support of tuberculosis sanatoria

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 597, entitled:

An Act to amend section four hundred forty-two of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" removing the

maximum limitation on appropriations for maintenance of indigent persons in certain tuberculosis sanatoria

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 601 on second reading, entitled:

An Act to amend section one of the act approved the eighteenth day of March one thousand eight hundred seventy-five (P. L. 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" prescribing additional entries to be made by recorders of deeds in the indexes for deeds and indexes for mortgages

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 654, entitled:

An Act to reenact section one of the act approved the twentieth day of April one thousand eight hundred seventy-four (P. L. 110) entitled "An act to enable the officers of dissolved corporations to convey real estate held by such corporations"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 677, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" limiting the sources from which payments of premiums by labor unions and certain other organizations may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 678, on second reading, entitled:

An Act to further amend subsection (b) of section four hundred fifteen and subsection (a) of section six hundred twenty-one point one of the act approved the

seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" further defining group life insurance and group accident and health insurance to include trust funds established by employers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 715, on second reading, entitled:

An Act to amend the act approved the second day of July one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday on certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" by exempting the exhibition of religious motion pictures by churches from the provisions of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 717, entitled:

An Act making an appropriation to the Department of Public Instruction for use at the State Teachers' Colleges for payment of the costs of repairs alterations replacements and improvements to existing plant facilities and equipment for the purchase or replacement of equipment furnishings and furniture and for the payment of the costs of necessary plans and supervisory and other technical services incident thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that House Bill No. 719, on second reading, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating certain private business schools and classes

be placed on the Second Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 723, on second reading, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for modification of the manner in which employer contribution rates are determined establishing the Fund Stabilization Factor in lieu of the Safety Factor and making provision for the application thereof and providing for further adjustment of employers' contribution rates for the last three quarters of the year one thousand nine hundred and forty-seven

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 735, on second reading, entitled:

An Act to amend sections four thousand three hundred twenty four thousand three hundred twenty-one four thousand three hundred twenty-two four thousand three hundred twenty-three four thousand three hundred twenty-four and four thousand three hundred twenty-five of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by requiring cities to provide annuity contracts or to establish a Firemen's Pension Fund and to make contributions to such fund and providing for and regulating the management and operation of such fund

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 750, entitled:

An Act appropriating certain accumulations in the Fire Insurance Tax Fund to cities townships and boroughs for payment to firemen's relief pension and retirement funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 771, on second reading, entitled:

An Act to further amend section seven and to amend section eight of the act approved the second day of May

one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items held by any administrator or executor trustee fiduciary depository of the court receiver or other officers of the court which are escheatable may be joined in one action of escheat and further providing for the right in the Attorney General or any person prosecuting any escheat action to discovery of any property without a rightful owner so held and further providing that the Attorney General or any other person authorized by The Fiscal Code to prosecute the right of the Commonwealth to escheatable property shall have the same rights and powers as an escheator and shall have the right to prosecute the right of the Commonwealth in the same manner as an escheator and further providing that the court may make orders relative to advertising and notice of the proceedings whether the escheatable property is real or personal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 775, on second reading, entitled:

An Act to further amend subsection (c) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" conferring additional powers and duties upon the Pennsylvania Labor Relations Board with reference to questions concerning representation of employees for the purpose of collective bargaining

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 778, entitled:

An Act to amend subsection (b) of section two of the act approved the twenty-ninth day of September one thousand nine hundred thirty-eight (P. L. 53) entitled

as amended "An act relating to institutions of counties cities wards boroughs townships institution districts and other political subdivisions for the care maintenance and treatment of mental patients providing for the transfer to the Commonwealth for the care maintenance and treatment of mental patients of such institutions and all grounds lands buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions providing for the management and operation or closing and abandonment thereof and the maintenance of mental patients therein including the collection of maintenance in certain cases providing for the retransfer of certain property to counties cities wards boroughs townships institution districts and other political subdivisions under certain circumstances conferring and imposing upon the Governor the Department of Welfare the courts of common pleas and counties cities wards boroughs townships institution districts and other political subdivisions certain powers and duties prohibiting cities counties wards boroughs townships institution districts and other political subdivisions from maintaining and operating institutions in whole or in part for the care and treatment of mental patients and repealing inconsistent laws," changing the date for the transfer to the Commonwealth of institutions used in the care and maintenance of indigent persons by certain political subdivisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 783, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns of reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" providing for resettlement review and appeal in certain cases of domestic bonus disputes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 784, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 786, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred forty-seven and such time as the funds provided by the General Appropriation Act become available.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 792, on second reading, entitled:

An Act prohibiting persons engaged in the business of selling or reselling new or used automobiles or motor trucks from selling or reselling the same or parts or accessories therefor at prices in excess of the retail prices established by the manufacturer requiring such persons to display at their place of business the manufacturer's retail price and to keep records of the prices at which they purchase and sell the same and records of the orders received from and filled for customers requiring an affidavit of the consideration received before a new certificate of title is issued providing for the revocation of dealer's licenses and imposing penalties for violations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 797, entitled:

A Joint Resolution proposing an amendment to section eighteen article nine of the Constitution of the Commonwealth of Pennsylvania authorizing the use of certain revenues for the acquisition of bridges.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMENDED

Mr. HEYBURN. Mr. President, I move that House Bill No. 798, on second reading, entitled:

An Act to amend the act approved the first day of June one thousand nine hundred forty-five (P. L. 1358) entitled "An act relating to chattel mortgages on any chattel or chattels of any kind or description including but not

limited to livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees and providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties" providing that chattel mortgages need not be acknowledged nor witnessed

be recommitted to the Committee on Judiciary General.

Mr. WILSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 801, on second reading, entitled:

An Act to provide for the prompt peaceful and just settlement of labor disputes between public utility employers engaged in furnishing electric gas water and steam heat services to the public and their employes which cause or threaten to cause strikes lockouts slowdowns or similar work stoppages and consequent interruptions in the supply of a public utility service on which a community served is so dependent that severe hardship would be inflicted on a substantial number of persons by a cessation of such service providing procedures for the adjustment and settlement of such disputes declaring that the public policy of the Commonwealth requires the continuation without cessation of such public utility services and providing means including regulations affecting the rights powers and privileges of employers and employes for the enforcement of such public policy and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 812, on second reading, entitled:

An Act relating to milk produced in the Commonwealth of Pennsylvania and delivered to plants which are or may hereafter become approved by any health authority as sources of milk for New York City and the Counties of Westchester Suffolk or Nassau in the State of New York providing for a Milk Compact Commissioner designating the Chairman of the Milk Control Commission of the Commonwealth of Pennsylvania as such Milk Compact Commissioner authorizing the Milk Compact Commissioner to enter into a compact or compacts with the legally constituted authorities of other states for the uniform regulation of the price to be paid producers for said milk subject to such federal consent as may be authorized or required by law providing that the Milk Compact Commissioner may become a member of an authority or a commission created by any such compact authorizing uniform regulation of prices to be paid producers as may be provided in any such compact providing that the Milk Compact Commissioner in the event of his temporary physical inability to perform any of the duties imposed upon him shall designate a deputy to act for him and in his behalf providing that any such compact agreed upon by the several states which shall become parties thereto shall expressly provide that all milk delivered by producers under the terms and conditions of said compact or the provisions of any price fixing or other order issued pursuant to the authority of such compact and distributed as milk or cream in Pennsylvania shall be priced commensurately with the prices of milk produced in Pennsylvania not covered by such compact or order

and re-delivered re-sold or otherwise disposed of or marketed in any marketing area in the Commonwealth of Pennsylvania as such prices are fixed by the then existing rules regulations and prices legally established in Pennsylvania for such area providing for reports to be made upon request to the Governor of the Commonwealth and providing for methods for the transmittal of such compact by the Governor of the Commonwealth of Pennsylvania to the Congress of the United States for Congressional consent as required by Article 1 Section 10 Clause 3 of the Constitution of the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act relating to strikes by public employes prohibiting such strikes providing that such employes by striking terminate their employment providing for reinstatement under certain conditions and providing for hearings before civil service and tenure authorities and in certain cases before the Pennsylvania Labor Relations Board.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER on behalf of Mr. BERGER offered the following amendment:

Amend Section 1, page 3, line 5, by inserting at the end of the line after the word "EMPLOYMENT" the following: For the further purpose of equitably carrying out the provisions of this act, in order to avoid or minimize any possible controversies by making available full and adequate governmental facilities for the adjustment of grievances, the governmental agency involved at the request of the public employes shall set up a panel of three members, one to be selected by the employes, one by the governmental agency and the two so selected to select a third member. The members of the panel shall be compensated at the rate of twenty-five dollars (\$25.00) per day, together with all necessary traveling expenses. The panel shall meet within fifteen (15) days. If the grievance can be adjusted through negotiation and informal conferences between the various parties it shall be so adjusted. If the conference negotiations do not result in rulings satisfactory to all parties concerned, the panel shall afford the public employes and the governmental agency a full hearing, after which the panel shall make their findings, copy of which shall be sent to the Governor, to the General Assembly, and to the head of the agency or political subdivision involved. Upon receipt of the findings of the panel the Governor or the head of the State agency or political subdivision involved may take administrative measures to remedy the complaints. If the Governor or the head of the State agency or political subdivision finds that the situation complained of can only be remedied by legislative action the Governor may refer the matter to the Legislature for correction or the head of the State agency or political subdivision may refer the matter to the proper law-

making body. If the members of the panel decide that legal counsel is necessary, they may, with the approval of the Attorney General, engage local counsel to advise them on the questions involved."

They were agreed to.

The section was agreed to as amended.

The second, third, fourth, and fifth sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WALKER on behalf of Mr. BERGER offered the following amendment:

Amend page 1, line 4 of the title by inserting after the word "conditions" and before the word "and" the following: "providing for a grievance procedure".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 826, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that House Bill No. 828, on second reading, entitled:

An Act making an appropriation to the Department of Public Instruction for the expenses involved in licensing and regulating private correspondence schools and classes

be placed on the Second Reading Postponed Calendar.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Local Government Commission to continue its work

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that House Bill No. 952, on second reading, entitled:

An Act to further amend the act approved the fifth day of December one thousand nine hundred thirty-six (P. L. 1937 page 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring

employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining employees ineligible to compensation by providing for increases in the duration of benefits by changing the manner in which compromises are to be made and by providing a prison sentence for individuals fraudulently claiming benefits

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 954, on second reading, entitled:

An Act to amend section six hundred four of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" allowing cemetery companies to give notice of meetings by advertising in newspapers and posting of notices

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 983, on second reading, entitled:

An Act to further amend clause (a) of section four hundred fifteen of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulations, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," changing the definition of group life insurance.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1001, on second reading, entitled:

An Act to provide that Labor Unions shall file certain statements and reports annually with the Secretary of Labor and Industry imposing powers and duties on the department relative thereto and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1013, on second reading, entitled:

A Joint Resolution proposing an amendment to section one article nine of the Constitution of the Commonwealth of Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1021, on second reading, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulating of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws," increasing fees for agents' licenses and imposing a fee for written examinations to applicants for relisting for certain licenses

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING AMENDED

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1043, entitled:

An Act to amend the third paragraph of section one and the second paragraph of section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" by clarifying the definition of "other hypnotic drug or analgesic drug or body-weight reducing drug" and regulating the sale of inhalers at retail

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WATSON offered the following amendments:

Amend page 3, section 1, line 4, after the word "(benzedrine)" by inserting the following: "or compound thereof except that amphetamine (benzedrine) for inhalers may be sold without prescription provided the amphetamine (benzedrine) therein has been denatured so as to make it unfit for internal use"; Amend page 3, section 1, line 8 by striking out the bold faced brackets before and after the word "thereof"; Amend page 3, section 1, line 8 by striking out at the end of the line the following: "in"; Amend page 3. section 1 by striking out all of the lines 9 and 10.

They were agreed to.

The section was agreed to as amended.
The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WATSON offered the following amendments:

Amend page 3, section 2, line 15 by striking out the bold faced brackets before and after the word "inhaler"; Amend page 3, section 2, line 18 by striking out the bold faced brackets before and after the word "inhaler."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading, as amended?

BILLS OVER IN ORDER

Mr. WATSON. Mr. President, I ask unanimous consent that House Bill No. 1043, on second reading, go over in its order, as amended.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1076, on second reading, entitled:

An Act to amend subsection two of section six of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employees to organize and bargain collectively declaring certain labor practices by employees to be unfair further providing that representatives of a majority of the employees be the exclusive representatives of all the employees authorizing the board to conduct hearings and elections and certify as to representatives of employees for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" declaring picketing by persons not employed by the place of employment picketed to be an unfair labor practice.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1088, entitled:

An Act validating the charters and the registration of the corporate name of certain non-profit corporations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1098, on second reading, entitled:

An Act to further amend sections two and nine of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" by changing the definition of "Assistance" and eligible requirements for aged persons and other persons.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1099, on second reading, entitled:

An Act to amend section four hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 1017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government as institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by clarifying the powers and duties of the institution districts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1214, entitled:

An Act to amend the title and to further amend section two of the act approved the twenty-eighth day of June one thousand eight hundred ninety-five (P. L. 408) entitled "A supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine amending the twenty-fourth section by providing for the payment by the State Treasurer of one-half of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities and boroughs within this Commonwealth" including towns and townships within its provisions providing for proportionate distribution of the tax receipts according to the amount of insurance written on property in the respective cities townships towns and boroughs and requiring agents to be instructed to place on the fire insurance policy the name of the locality wherein the insured premises are located.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1316, entitled:

An Act appropriating eighteen hundred dollars to the Chief Clerk of the House of Representatives to be used for the purpose of paying the salaries of deceased members to the wife or husband or legal representative of such deceased member.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1318, entitled:

An Act making an appropriation from the Public Buildings Construction Fund to the Department of Property and Supplies for use at any existing or new State-owned institutions within the Department of Welfare for purchase or condemnation of land for construction of new buildings for repair and alterations to and replacement of existing buildings and for architectural and engineering services fixtures equipment sewage treatment plants water supply electrical and other facilities.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1334, entitled:

An Act reappropriating certain appropriations made by the General Assembly during the Session of one thousand nine hundred forty-seven.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. MALLERY. Mr. President, I second the motion. The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 200, entitled:

An Act to further amend the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled as amended "An act establishing a Pennsylvania State Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employees' Retirement Fund, under the Administration of the State Employees' Retirement Board; providing for contributions by members of the Pennsylvania State Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by increasing the amounts of the State annuities, removing certain restrictions on the payment of such annuities and further regulating certain retirement allowances paid under said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 406, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and right from taxation and judicial process and providing penalties" further defining State employees and original members and making further exception to compulsory membership in the system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 472, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof

and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members so as to extend the benefits of the act to employes of institutions of counties cities wards boroughs townships institution districts and other political subdivisions acquired by the Commonwealth for actual use as State mental hospitals and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to further amend paragraph six of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes' defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employes to include employes of the Interstate Commission on the Delaware River Basin

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act to further amend section two hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes of certain departments boards and commissions shall be determined" including the maximum size of the State Police Force,

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 733, entitled:

An Act to further amend section one hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing that school districts of the third class shall not be created or their boundaries changed without the consent of the State Council of Education,

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 737, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing the change of the fiscal year by districts of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 758, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative department, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined," as amended, by further changing the provision relating to the maximum compensation of the State Civil Service Commission,

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 760, entitled:

An Act to further amend section two hundred five, subsection (2) of section two hundred six and sections five hundred one, five hundred two, five hundred seven,

eight hundred two and eight hundred seven; and to amend subsection (b) of section three, Article II, sections three hundred one, four hundred one, six hundred three, six hundred four, six hundred six, six hundred seven, seven hundred one, seven hundred four, eight hundred four, eight hundred six and nine hundred four of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employees of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by further regulating and improving the civil service of certain departments and agencies of the Commonwealth, and repealing an existing law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 768, entitled:

An Act to repeal sections two and three of the act, approved the eleventh day of April, one thousand eight hundred sixty-six (P. L. 635), entitled "A further supplement to the act consolidating the city of Philadelphia, for the purpose of introducing a sufficient supply of fresh and pure water, for the use of the citizens of said city," eliminating the right of the City of Philadelphia to enter upon or take certain land in adjoining counties by eminent domain proceedings for water supply purposes and the manner of ascertaining damages for such taking.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 807, entitled:

An Act to amend Section 7 of the Act approved the 16th day of May, A. D. 1940 (P. L. 949), entitled, "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at the City of Philadelphia and conferring powers and imposing duties on the Pennsylvania Turnpike Commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such turnpike bonds exempt from taxation; constituting such bonds legal investment in certain instances; requiring suits against the commission to be brought in Dauphin County; prescribing conditions upon which such turnpike shall become free; providing for grade separations, grade changes and relocation and restoration of public roads and State highways affected by the turnpike; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by adding sub-section (d) thereto, providing for salaries for appointed members of the Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 850, entitled:

An Act to further amend clauses six nine ten and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employees' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employees defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employees serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by further defining State employee and original member to include certain employees paid on a per diem or hourly basis.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 851, entitled:

An Act to further amend section two hundred twenty-two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissioners and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appoint-

ment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing for leaves of absence with pay for certain employes who receive an hourly or per diem wage

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 932, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Harrisburg State Hospital, to acquire by purchase or condemnation proceedings certain tracts of land for the use of said hospital; and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1040, entitled:

An Act authorizing and directing the Delaware River Joint Commission to undertake immediately an aggressive campaign to promote increased commerce on the Delaware River both freight and passenger as authorized by the compact with the State of New Jersey under which said commission operates and to undertake the formulation of a specific action program for the promotion of the navigable section of the Delaware River and Bay extending from Trenton New Jersey and Morrisville Pennsylvania to the Atlantic Ocean as a highway of commerce the investigation of the necessity for additional means of communication between the ports of Philadelphia and Camden and the sea and to conduct an investigation for the purpose of formulating a specific plan and report relative to the need for and advisability of constructing additional tunnels or bridges across that section of the Delaware River extending from Trenton New Jersey and Morrisville Pennsylvania to the Delaware Bay, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act providing for the payment of salary, wages, medical and hospital expenses of employes of a jail, prison, workhouse, penitentiary, penal reformatory, or correctional institution, hospitals for the insane, or any institution for the feeble minded, or epileptic persons, for inebriates, or for juvenile delinquents, and dependents maintained in whole, or in part, by the Commonwealth, or any county within the Commonwealth, who are injured in the performance of their duty, and providing that absence during such injury shall not reduce any usual sick leave period and also providing for recourse to pension privileges in the event of permanent disability.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1333, entitled:

An Act to further amend subsection (b) of section five hundred eight of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by further defining the duties of the Department of Property and Supplies regarding State institutions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 217, entitled:

An Act to amend subsection (d) of section two, and section eight of the act, approved the twenty-ninth day of May, one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment, construction and maintenance of limited access highways and local service highways; and providing for closing certain highways; providing for the taking of private property and for the payment of damages therefor; providing for sharing the costs involved and for the control of traffic thereover; providing penalties, and making an appropriation;" providing a uniform method of condemnation and payment of damages in boroughs and cities.

Senate Bill No. 233, entitled:

An Act to further amend sections five hundred two and five hundred four of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties.

Senate Bill No. 263, entitled:

An Act to further amend section two, and amend sections three and five of the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1303), entitled "An act to regulate the sale of certain hypnotic, analgesic, and body-weight reduction drugs, in the interest of public health," extending requirements as to contents of labels; and increasing penalties.

Senate Bill No. 366, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred forty-

five (P. L. 577), entitled "An act for the prevention, control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests; providing for the treatment of certain persons; requiring reports to be made to the State Department of Health; imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations, and to disseminate certain information; regulating the advertisement and restricting the sale of certain drugs and remedies; and imposing penalties," authorizing county jails to receive persons under quarantine; and providing for reimbursement by the Commonwealth.

Senate Bill No. 448, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of July, one thousand nine hundred thirteen (P. L. 1013), entitled "An act regulating the issuance of licenses to marry; prohibiting the issuance of such licenses to certain persons; regulating the time during which licenses shall be valid, and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court; and prescribing the duties of the clerk of the orphans' court," by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances.

Senate Bill No. 552, entitled:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings, public works or projects.

Senate Bill No. 616, entitled:

An Act to add clause fifty-six to section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," empowering city councils, by ordinance, to define and penalize disorderly conduct.

Whereupon,

The PRESIDENT (Lieutenant-Governor Daniel B. Strickler) in the presence of the Senate signed the same.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Friday, May 30, 1947, at 12:01 o'clock, a. m., Eastern Standard Time.

Mr. SCARLETT. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 1:50 o'clock, p. m., Eastern Standard Time until Friday, May 30, 1947, at 12:01 o'clock, a. m., Eastern Standard Time.

HOUSE OF REPRESENTATIVES

THURSDAY, May 29, 1947

The House met at 10:00 a. m.

The SPEAKER (Franklin H. Lichtenwalter) in the Chair.

PRAYER

Hon. George D. Stuart a member of the House offered the following prayer:

Our Father, we come before Thee this morning with a deep realization of our great responsibility and our weakness and ask Thee that Thou wouldst give us strength

rightly to make decisions in accord with Thy will. We ask it in Jesus' Name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, May 28 1947.

The Clerk proceeded to read the Journal of Wednesday, May 28, 1947, when on motion of Mr. JOHN M. REILLY unanimously agreed to, the further reading was dispensed with and the Journal approved.

MEMBER CONGRATULATED

The SPEAKER. The Chair is awaiting the arrival of the gentleman from Pike, Mr. DePuy. We have just received word that he has become the father of a baby girl, born sometime during the night in the Brooklyn Methodist Hospital—about three a. m. this morning. The Members of the House wish to congratulate the gentleman from Pike and his wife on the new arrival. All three are doing well.

The SPEAKER. The Chair recognizes the gentleman from Pike, Mr. DePuy.

Mr. DEPUY. Mr. Speaker, it is the old story. They never lost a father.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 102.

An Act providing for the adjustment and settlement by the Department of Public Assistance of certain legal and moral claims against the Commonwealth arising out of contracts with the former State Emergency Relief Board for the slaughter of drought cattle and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 603.

An Act establishing certain sections of road over State-owned lands as State Highways, and providing for the construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

SENATE BILL No. 615.

An Act making provisions for community property law; providing that the act shall apply to husbands and wives and their property subsequent to the effective date of the act; defining separate property and the community property of the husband and wife; providing for the management, control and disposition thereof, including the homestead; defining the ownership of funds on deposit in any bank or banking institution; providing for the rights and remedies of creditors; providing that either spouse may give or convey his or her community property to the other; providing for disposition of community property on dissolution of marriage; providing for the substitution of one spouse under certain conditions for the other through legal proceedings in the management, control and disposition of community property; providing for the administration and distribution of the interests of a deceased spouse in community property.

Referred to the Committee on Judiciary.

SENATE BILL No. 632.

An Act to amend section nine of the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2681) entitled "An act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties" increasing the minimum and maximum limits of license fees.

Referred to the Committee on State Government.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 27, 1947

Whereas, the historic buildings and sites which constitute the tangible remains of Pennsylvania's rich and inspiring historic past are at the present time in constant danger of destruction as a result of modern progress and its concomitant expansion of residential and business building developments embracing wider and wider areas, and

Whereas, many significant buildings or sites in Pennsylvania have already been destroyed, deformed or misused, not through any deliberate intention or malevolent design to wipe out the landmarks of the Commonwealth's proud history, but through mere unawareness of their value and importance, and

Whereas, all historic buildings and sites throughout Pennsylvania are of inestimable educational and civic value and thus ought to be preserved for the benefit of present and future Citizens of the Commonwealth, and

Whereas, no agency of the Commonwealth is presently empowered or directed to take steps for the protection and preservation of historic buildings and sites without prior authorization given in each case by the General Assembly, now Therefore be it:

Resolved; (if the House concur) That the General Assembly of the Commonwealth of Pennsylvania hereby instruct the Joint State Government Commission with the cooperation of the Pennsylvania Historical and Museum Commission to make a survey and prepare a list of all the historic buildings and sites and archaeological sites which it deems to be of distinctive significance and value to the history of archaeology of this Commonwealth, and to report this list to the General Assembly at its next regular session with recommendations for appropriate legislation to assure the safety and preservation of such building and sites; and be it further

Resolved, That the General Assembly hereby authorizes the Joint State Government Committee, with the advice and cooperation of the Pennsylvania Historical and Museum Commission, to declare any historic building or site or any archaeological site to be of distinctive significance and value to the history or archaeology of this Commonwealth; and urgently requests any person or persons owning or having custody of a building or site which the Joint State Government Committee has so declared to be of distinctive significance and value not to sell or destroy such building or site until the General Assembly at its next regular session has had an opportunity to take appropriate action.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to Committee on Rules.

RESOLUTION

RECALLING HOUSE BILL NO. 964 FROM GOVERNOR

Mr. ROYER offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted as follows:

In the House of Representatives, May 29, 1947.

Resolved (if the Senate concurs), that House Bill No. 964, Printer's No. 357, entitled "An act to further amend sections thirty-four and thirty-eight of the act approved the seventeenth day of May one thousand twenty-one (P. L. 869) entitled 'An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth' changing the basic annual allowance for all troops and decreasing the minimum allowance and providing for expenses of headquarters," be recalled from the Governor for further amendments.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT FROM COMMITTEE

Mr. McKINNEY from the Committee on Judiciary, reported as amended, House Bill No. 682, entitled:

An Act declaring certain organizations, groups or societies subversive and certain persons disloyal citizens or undesirable aliens within this Commonwealth, and making it unlawful in certain cases for any person to assist aid or abet such subversive associations or such persons and making all persons violating this act ineligible to hold public office or public employment or office in certain other organizations or corporate bodies as well as subject to certain fines or imprisonment or both.

MR. ROELOF KASPERS WELCOMED

The SPEAKER. The Chair is pleased to have in the Hall of the House this morning as a guest, a gentleman from Holland, Mr. Roelof Kaspers.

The SPEAKER. The Chair requests the gentleman from Lycoming, Mr. Riley, to preside during the first reading calendar.

MR. RAY L. RILEY IN THE CHAIR.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 568, entitled:

An Act establishing the Port of Chester creating the Port of Chester Commission prescribing its powers and duties and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, I move that House Bill No. 568, Printer's No. 784, be recommitted to the Committee on Appropriations for further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act to amend section six hundred eleven of the act approved the ninth day of April one thousand nine hun-

dred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" further providing for collection of certain taxes by prothonotaries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 639, entitled:

An Act to amend section one of the act approved the fifth day of April one thousand eight hundred forty-eight (P. L. 335) entitled "An act changing the time when certain officers shall make their returns" by further providing for the rendering of accounts for and payment of taxes received and making the same conform to existing law

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 694, entitled:

An Act creating a Pennsylvania State Commission for the Centennial and Victory Exposition of Liberia defining the powers and duties of said commission providing for participation in the said exposition and making an appropriation to the Department of Commerce for the use of said commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 896, entitled:

An Act to further amend section one of the act approved the twenty-fourth day of June one thousand nine hundred nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" increasing the compensation and mileage allowance of members of the General Assembly

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 943, entitled:

An Act to amend section thirty-three and to add section thirty-five point one to the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that the taxing districts shall pay the premium on bonds insuring tax collectors against losses of money through no fault of their own

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1156, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the purchase of cases preserving and exhibiting the original William Penn Charter and other historical documents

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1337, entitled:

An Act to further amend sections one and three and to add section four to the act approved the seventh day of May one thousand nine hundred twenty-seven (P. L. 859) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' imposing additional taxes equal to Federal credits" further providing for determination of the estates subject to the Pennsylvania Estate Tax the computation thereof and the collection of interest upon tax not paid when due and providing for crediting any taxes paid on account of the Pennsylvania Estate Tax to any additional transfer inheritance tax assessed against an estate

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 26, entitled:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing

their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" increasing the maximum amounts of payments by the State in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 274, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey to Pittsburgh Consolidation Coal Company, a Pennsylvania corporation, a certain tract of land and a certain right of way in the Township of Upper Saint Clair, County of Allegheny, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 436, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the preservation and permanent casing of battle flags and war relics.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 580, entitled:

An Act to further amend section twenty-one of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred seventy-nine" by establishing an exemption for capital actually and exclusively employed in coal mining or coal mining and preparation plant business with regard to the capital stock tax and franchise tax on domestic and foreign corporations joint-stock associations limited partnerships and companies and postponing the effective date of said exemption

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 633, entitled:

An Act to further amend subsection (c) of section two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" excluding certain cemetery companies and persons engaged in selling cemetery plots from the provisions of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Franklin H. Lichtenwalter) IN
THE CHAIR.

The SPEAKER. The Chair thanks the gentleman from Lycoming, Mr. Riley, for presiding.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

I think it should be noted upon the record, Mr. Speaker, and on the Journal that when the gentleman from Lycoming left the Chair after presiding over the first reading calendar most of the applause came from the ladies present in the Hall of the House.

The SPEAKER. The Chair was just wondering after that little episode last Thursday morning whether the gentleman from Delaware is not a little bit envious.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 246, entitled:

An Act making an appropriation to the Pennsylvania Historical and Museum Commission for the commission's share of the cost of paving a certain street on which abuts certain historical sites owned by the Commonwealth

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act to further amend clause III of section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing alternative methods for annual assessment of cost and expense for the acquisition of a water system and for the maintenance of fire hydrants and the purchase of hose

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 933, entitled:

An Act to further amend the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by changing the provisions relating to the giving of notice of assessments

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Commissioner of the Pennsylvania State Police to acquire by

purchase or condemnation suitable building or buildings in Schuylkill County for use as a Pennsylvania State Police barracks and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1338, entitled:

An Act making an appropriation to the Department of Health for the purpose of providing vaccine for certain persons assumed to be in danger of hydrophobia or rabies except in cities where dog license fees are paid into the city treasury

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

PERMISSION TO ADD ADDITIONAL SPONSORS

Mr. WORLEY asked and obtained unanimous consent to add the names of Messrs. BLOOM, LAYER, SPROUL and TURNER as additional sponsor to House Bill No. 1339.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 220, entitled:

An Act to further amend sections twelve, thirteen and fourteen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled, as amended, "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries and court clerks and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by extending the time for payment of the tax without interest in certain cases; staying execution of certain liens in certain cases; and requiring the board to issue certificates of credit for overpayment in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 234, Printer's No. 389 and

Senate Bill No. 241, Printer's No. 76

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 336, entitled:

An Act to amend the title to further amend section two and to amend section seven of the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed

by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employees of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" including employees of municipal authorities within the provisions of the act and prescribing the procedure by which municipal authorities may join the retirement system

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 343, entitled:

An Act to amend sections five hundred twenty-four and two thousand eight hundred one A of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employees in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined" further regulating examination and disposition of records imposing duties on and granting powers to the Pennsylvania Historical and Museum Commission and its executive director in regard to the study and preservation of public records and other archival materials and authorizing the commission to procure the advice of experts and to pay for such services

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 376, entitled:

A Supplement to the act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1352), entitled "An act providing for joint action by the Commonwealth of Pennsylvania and the State of New Jersey in the administration operation and maintenance of bridges over the Delaware River and for the construction of additional bridge facilities across said river authorizing the Governor for these purposes to enter into an agreement with the State of New Jersey creating a Delaware River Joint Toll Bridge Commission and specifying the powers and duties thereof including the power to finance the construction of additional bridges by the issuance of revenue bonds to be redeemed from revenues derived from tolls collected at such bridges transferring to said commission all powers now exercised by existing commission created to acquire toll bridges over the Dela-

ware River and making an appropriation" authorizing the Governor to enter into a supplemental compact or agreement on behalf of the Commonwealth of Pennsylvania with the State of New Jersey amending the Agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Toll Bridge Commission as a body corporate and politic and defining its powers and duties to enlarge the jurisdiction and power of said commission with respect to the acquisition construction rehabilitation improvement maintenance and operation of bridges across the Delaware River the financing thereof and the fixing charging and collecting of tolls for the use of such bridges and repealing certain acts.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

PUPILS OF CLEONA PUBLIC SCHOOL WELCOMED

The SPEAKER. The Chair would like to introduce the seventh and eighth grade classes of the Cleona Public School of Cleona, Pennsylvania, under the direction of Miss Anna M. Evans, who are here as the guests of the gentleman from Lebanon, Mr. Kurtz.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection,

Senate Bill No. 382, Printer's No. 100

Senate Bill No. 393, Printer's No. 388 and

Senate Bill No. 394, Printer's No. 387

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 408, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to accept, on behalf of the Commonwealth, certain real estate comprising the Crispin Cemetery in Philadelphia; and providing for its restoration and maintenance as an historic shrine.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 438, entitled:

An Act to further amend section fourteen of the act, approved the twenty-first day of May, one thousand nine hundred forty-three (P. L. 414), entitled "An act relating to vital statistics and to make uniform the law with reference thereto," by further changing the conditions under which information or records may be furnished and certified copies of birth certificates issued.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 439, Printer's No. 323

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 492, entitled:

An Act to amend Section 2 of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 227) entitled "An act authorizing stock corporations with certain exceptions to make provision for and to issue shares of capital stock of any class or classes or to change shares of authorized or outstanding capital stock of any class into one or more classes with or without nominal or par value and with such designations terms relative rights powers privileges preferences limitations restrictions and qualifications as may be specified regulating such corporations and the liabilities of their directors making other provisions relating to the capital and capital stock of such corporations and repealing all acts or parts of acts inconsistent herewith" by empowering subject to certain conditions the boards of directors of corporations to issue out of the authorized but unissued shares of capital stock the kinds and classes of shares so authorized regulating the creation and issuance of preferred or special stock in series and designating the variations in the relative rights and preferences as between different series and empowering subject to certain conditions the boards of directors of corporations as respects the authorized but unissued shares of preferred or special stock of the corporation to divide the same into series and subject to certain conditions and limitations to fix and determine the relative rights and preferences of any series so established

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 498, entitled:

An Act lapsing all unexpected or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-nine and prior sessions, and at its regular sessions of one thousand nine hundred and forty-one and one thousand nine hundred and forty-three and the Special Sessions of one thousand nine hundred and forty one thousand nine hundred and forty-two.

The first section was read.

On the question,

Will the House agree to the section?

Mr. ANDREWS. Mr. Speaker, in connection with this bill I would like very much to ask for the benefit of the House an authoritative tabulation that will show the unexpended and the unencumbered balances, and the amount that will be lapsed. From the figures that I have obtained from various sources, the totals differ to the tune of millions of dollars, and I would like very much to have this bill held over until the Majority Leader is in position to tell us just exactly what these balances mean in taxes.

The SPEAKER. Does the gentleman desire to have the bill held on second reading or passed and held on third reading until such information is available.

Mr. ANDREWS. Mr. Speaker, it will be all right to hold it on third reading.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third and fourth sections inclusive and title were separately read and agreed to

And said bill having been read at length for the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 553, entitled:

An Act to amend section one thousand seven hundred ten of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the re-settlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further imposing penalties in certain cases.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 554, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract or parcel of land in York County, Pennsylvania, for use in connection with the New Cumberland General Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 569, entitled:

An Act to further amend section eleven of the act, approved the sixth day of August, one thousand nine hundred forty-one (P. L. 861), entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other

cognate purposes, and making an appropriation," by increasing the compensation of district supervisors in counties of the first and second class.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 575, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 638, entitled:

An Act authorizing the Pennsylvania Historical and Museum Commission to release certain historic documents to the Attorney General of the United States for exhibition on the "Freedom Train"

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 659, entitled:

An Act to amend section one hundred one of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes," by defining "municipality authority" or "municipal authority."

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 680, Printer's No. 305 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 727, entitled:

An Act to amend section two of the act, approved the twenty-second day of May, one thousand nine hundred forty-five (P. L. 837), entitled "An act providing for and requiring in certain cases preference in appointments to public position or on public works for honorably discharged persons who served in the military or naval service during any war in which the United States engaged; and in certain cases for the widows and wives of such persons," precluding the requiring or furnishing of any soldier's service rank or serial number in connection with taking a civil service examination.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection,

Senate Bill No. 736, Printer's No. 370
was passed over at the request of the SPEAKER.

BILL RECOMMITTED

Mr. SORG. Mr. Speaker, pursuant to the suggestion made by the gentleman from Cambria, Mr. Andrews, I move that Senate Bill No. 498, Printer's No. 307 on page 19 of today's calendar, bills on second reading, be recommit-
mitted to the Committee on Appropriations for further study.

The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order

The House proceeded to the consideration on final pas-
sage of House Bill No. 438, as follows:

An Act to further amend section three of and add section four to the act approved the twenty-fourth day of May one thousand eight hundred ninety-three (P. L. 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regula-
tion of the same" deleting provisions relating to termina-
tion of right to participate in the fund and regulation thereof and providing that compensation or pension is not to be subject to the attachment execution assign-
ment or transfer and payable only to beneficiary desig-
nated

The General Assembly of the Commonwealth of Penn-
sylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-
fourth day of May one thousand eight hundred ninety-
three (P. L. 129) entitled "An act to empower boroughs
and cities to establish a police pension fund to take
property in trust therefor and regulating and providing
for the regulation of the same" as last amended by the
act approved the second day of July one thousand nine
hundred thirty-seven (P. L. 2795) is hereby further
amended to read as follows

Section 3 Whenever any person shall become entitled
to receive a benefit from the police retirement fund and
shall have been admitted to participate therein he shall
not be deprived of his right to an equal and proportionate
participation therein upon the basis upon which he first
became entitled thereto [save from one or more of the
following causes that is to say conviction of a crime or
misdemeanor becoming a habitual drunkard becoming a
non-resident of the State or failing to comply with some
general regulation relating to the said fund which may be
made by ordinance and which may provide that a failure
to comply therewith shall terminate the right to partici-
pate in the fund after such due notice and hearing as
shall be prescribed by ordinance]

Section 2 Said act is hereby further amended by adding
thereto after section three a new section to read as
follows

Section 4 The retirement allowance herein provided
for shall not be subject to attachment execution levy
garnishment or other legal process and shall be payable
only to the beneficiary designated by this act and shall
not be subject to assignment or transfer

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas
and nays were taken and were as follows:

YEAS—191.

Aaronson,	Foor.	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Brelsach,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Needham,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Dare,	Tittle,
Chervenak,	Horan,	O'Connor,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dairymple,	Kemp,	Powers,	W-llin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Riley,	Wood,
Evans,	Livingston,	Richter,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarraf,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0.

NOT VOTING—14.

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted
in the affirmative, the question was determined in the
affirmative.

Ordered, That the Clerk present the same to the Senate
for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consid-
eration of House Bill No. 553, as follows:

An Act to further amend the act approved the twelfth
day of May one thousand eight hundred eighty-seven
(P. L. 95) entitled "An act regulating the compensation
of county auditors within this Commonwealth" increas-
ing the compensation of county auditors

The General Assembly of the Commonwealth of Penn-
sylvania hereby enacts as follows

Section 1 The act approved the twelfth day of May one

thousand eight hundred eighty-seven (P. L. 95) entitled "An act regulating the compensation of county auditors within this Commonwealth" as amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (P. L. 1115) is hereby further amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act the auditors of each county shall be allowed out of the county funds the sum of [five dollars] seven dollars and fifty cents (\$7.50) each for each and every day necessarily employed in the discharge of their duties together with six cents per mile circular from and to their homes once for each and every week so employed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191.

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mooney,	Sorg,
Bonawitz,	Griffiths,	Moore, C. E.,	Sproul,
Boorse,	Guthrie,	Mintess,	Stank,
Bower,	Gyger,	Mohr,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Johnston,	O'Neill,	Turner,
Cook,	Jennings,	Orban,	Upshur,
Cooper,	Johnson,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Deputy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wheeler,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Relly, J. M.,	Wescott,
Elder,	Lee,	Relly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarraf,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0.

NOT VOTING—14.

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 668, as follows:

An Act to further amend section three of the act approved the nineteenth day of June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" by further regulating the payment of the salaries of probation officers and their assistants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the nineteenth day June one thousand nine hundred eleven (P. L. 1055) entitled "An act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries" as amended by the act approved the twenty-first day of June one thousand nine hundred nineteen (P. L. 569) is hereby further amended to read as follows

Section 3 Whenever and wherever the court may deem it necessary and desirable it may appoint a discreet person to serve as probation officers and such assistants to the probation officer as the court may deem necessary for the performance of such duties as the court shall direct. The salary of such probation officer shall be determined by the court and together with the necessary expenses incurred while in actual performance of duty shall be paid by the county upon vouchers approved by the court [and county commissioners] In no case however shall a defendant be committed in the custody of a probation officer of the opposite sex

Nothing in this act shall be construed to repeal alter or amend any of the provisions of an act approved the twelfth day of July Anno Domini one thousand nine hundred and thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdictions and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" the amendments or supplements thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191.

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,

Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0.

NOT VOTING—14.

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 669, as follows:

An Act requiring in counties of the third class a building permit from the board of assessment and revision of taxes for the erection or construction of any new building or structure within the boroughs or townships of such counties and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No new building or structure shall be erected within a borough or township in any county of the third class until the person financially liable for the costs of such building or structure shall secure a permit therefor from the board of assessment and revision of taxes of such county Application for such building permit shall bive such information relative to the proposed building or structure as the issuing body shall by general rules and regulations determine and prescribe Such permit shall be issued without charge immediately upon the filing of a proper application and a record of all such permits shall be kept by the official body issuing the same at its office Such record shall be open to public inspection

Section 2 Any person violating any of the provisions of

this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of twenty-five dollars (\$25) and cost of such proceeding

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191.

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. O.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Elder,	Layer,	Reilly, J. M.,	Wheeler,
Efenberg,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0.

NOT VOTING—14.

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 674, as follows:

An Act to further amend section eleven of the act approved the eighth day of July one thousand nine hun-

dred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" including certain per diem employment rendered prior to establishment of retirement system in determining length of service for retirement benefits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" as amended by the act approved the twenty-eighth day of May one thousand nine hundred forty-three (P. L. 789) is hereby further amended to read as follows

Section 11 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to the time the system became effective This shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the service of employees paid directly by such county official out of such fees Full credit shall also be given for each year of service of a contributor who was a per diem employe of the county for a period of at least five years prior to the time the system became effective and who averaged two hundred days of employment in each of such years As soon as practicable the board shall issue to each original member a certificate certifying the aggregate length of his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buchin,	Hewitt,	Needham,	Tahl,
Cadwalader,	Hocker,	Naumann,	Thomassey,
Capacio,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenk,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,

Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krize,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sax,	Lichtenwalter,
Fleming,	Madigan,	Sarrafi,	Speaker,

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 676, as follows:

An Act to further amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" permitting contributors who entered military service to reinstatement as members upon payment of certain amounts into the retirement fund and providing that in such cases members shall be given credit as to benefits for time in military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employees' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" as last amended by the act approved the first day of May one thousand nine hundred forty-five (P. L. 353) No 146) is hereby further amended by adding after section nineteen point two a new section to read as follows

Section 19.3 Reinstatement on Return from Military Service Any contributor who entered into active military service shall upon return to county employment be permitted to pay into the retirement fund an amount which shall be equal to the salary deductions multiplied by the number of months during which he was absent from county employment in active military service either in a lump sum or by installments but in no event shall such payments be made in installments less than sufficient to pay such amount by the time the member attains superannuation retirement age A contributor who complies with the foregoing provisions of this section shall be entitled to all the benefits to which he may have been entitled as fully as though such county employe had continued in county employment during the period of such active military service

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buochin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichaney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Probert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Eisenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 786, Printer's No. 738 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 787, as follows:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand nine

hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth for the period beginning on the day this act becomes effective and ending on the thirty-first day of May one thousand nine hundred [and forty-seven] forty-nine

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 2 Section ten of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred forty-five (P. L. 803) and by the act approved the twenty-ninth day of May one thousand nine

hundred forty-five (P. L. 1102) is hereby further amended to read as follows

Section 10 Disposition and Use of Tax (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury and such moneys paid into said fund are hereby specifically appropriated for the purposes hereinafter set forth

The moneys so paid into the Liquid Fuels Tax Fund except those that are refunded as hereinafter provided shall be paid to the respective counties of this Commonwealth on the first day of June and December of each year in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years Provided That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August one thousand nine hundred and thirty-one shall be made under the provisions of the acts of Assembly repealed by this act

All moneys received by the counties hereunder shall be deposited and maintained in a special fund designated as the "County Liquid Fuels Tax Fund" into which no other moneys shall be deposited and commingled Moneys so received and deposited shall be used only for the purpose of construction reconstruction maintenance and repair of roads highways and bridges including the payment of property damage now due or hereafter to become due occasioned by or the relocation or construction of highways and bridges and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes or on so much of any bonds as have been used for such purposes and all such payments heretofore made are hereby validated Provided That no expenditures from the county liquid fuels tax fund shall be made by the county commissioners for new construction on roads or bridges without first having obtained the approval of the plans for such construction from the Department of Highways And provided further That the county commissioners shall not allocate moneys from the county liquid fuels tax fund to any political subdivisions within the county until the application and the contracts or plans for the proposed expenditures have been made on forms prescribed prepared and furnished and first approved by the Department of Highways The county commissioners of each county shall make to the Department of Highways on or before the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year on forms prescribed prepared and furnished by the Department of Highways a report showing the receipts and expenditures of such moneys received by the county from the Commonwealth under the provisions of this section Copies of such reports shall be transmitted to the department and to the Department of the Auditor General for audit Upon the failure of the county commissioners to file any one of such reports or to make any payments allocations or expenditures in compliance with the provisions of this section the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed transmitted or said moneys allocated or said expenditures for the prior six months are approved by the Department of Highways

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act all penalties and interests and all interest earned on deposits of the Liquid Fuels Tax Fund shall be paid into the Motor License Fund and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law

(c) The entire amount of the additional tax of one cent per gallon or fractional part thereof collected under the provisions of this act shall be paid into the Motor License Fund and the following amounts thereof are hereby specifically appropriated for the two calendar years beginning the first day of January one thousand nine hun-

dred [forty-six] forty-eight for the purposes and in the manner as hereinafter set forth

Ten million dollars shall be paid to the respective townships of the second class of this Commonwealth and shall be allocated an dapporioned among the said townships in the ratio which the mileage of township roads in each township of the second class bears to the total mileage of township roads in all townships of the second class in the Commonwealth as of January first of the year in which an allocation is made

Eight million five hundred thousand dollars shall be paid to the respective cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships of the first class of this Commonwealth and shall be allocated and apportioned among said units of government in the ratio which the mileage of roads and streets not maintained by the Department of Highways under the provisions of existing laws in each unit bears to the total mileage of such roads and streets in all of said units in the Commonwealth as of January first of the year in which an allocation is made

The calculation of mileages shall be determined annually by the Department of Highways of the Commonwealth from reports submitted by the cities boroughs towns and townships The term "roads and streets" is defined to mean public roads and streets used for travel by horse drawn and motor vehicles and to exclude ways courts and alleys

The moneys so appropriated allocated and apportioned herein from the Motor License Fund shall be paid over in the manner provided by law on requisition of the Secretary of Highways to cities of the first class cities of the second class cities of the second class A cities of the third class boroughs incorporated towns and townships on the first day of March June September and December of each year

The funds so allocated apportioned and received shall be deposited and maintained in a special fund into which no other moneys shall be deposited and commingled and shall be expended by the corporate authorities of said political subdivisions directly or by contract let but only after approval of the Department of Highways as to the most beneficial and efficient manner of making such expenditures and shall be used only for the maintenance construction reconstruction resurfacing and improvement of public roads and streets not maintained by the Department of Highways under the provisions of existing laws and the maintenance construction and reconstruction of bridges on such roads and streets in said political subdivisions except that in political subdivisions which do not have sufficient funds from other sources for the maintenance and repair of all roads and bridges not maintained by the Department of Highways under the provisions of existing laws the allocation to such political subdivisions may be used inwhole or in part for such maintenance and repair purposes Where road and bridge work is performed by the political subdivision this paragraph shall be construed to permit the funds so allocated to be used and expended only for labor rental of equipment payrolls purchase of material including repair parts necessary for the maintenance of equipment small tools road drags and snow fences

Each political subdivision shall submit to the Department of Highways a report on the fifteenth day of January and July for the periods ending December thirty-first and June thirtieth respectively of each year showing the cost of the work done pursuant to the moneys so allocated and apportioned in such detail as may be required by the Department of Highways In case any records or reports required by law are not made in the manner or at the time required no further moneys shall be approved for payment by the Department of Highways to such political subdivision until such reports have been made and approved

Nothing herein contained shall be construed to prevent the use of any moneys so allocated and apportioned

for Federal projects sponsored by the political subdivision or for county-aid work relating to the improvement of road and bridges

The corporate authorities of the said political subdivisions shall at the time of fixing the real estate tax rate for highways road and street purposes for the calendar years one thousand nine hundred and forty-six and one thousand nine hundred and forty-seven give consideration to the anticipated revenue to be received under the provisions of this act

The Department of Highways shall annually issue to the corporate authorities of the said political subdivisions copies of the laws with special reference to the pertinent provisions thereof and regulations relating to the receipt and expenditure of any funds authorized herein to be apportioned allocated or expended

Section 3 The provisions of this act shall become effective the first day of June one thousand nine hundred forty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Andrews,	Capano,	McKinney,	Scanlon,
Aaronson,	Getchey,	Mazza,	Schuster,
Barrett,	Gibson,	McCormack,	Scott,
Baumunk,	Goff,	McCosker,	Serrill,
Beech,	Goodling,	McCullough,	Shoemaker,
Bender,	Graybill,	McMillen,	Simons,
Bloom,	Greenwood,	Mihm,	Smith, C. C.,
Boies,	Greer,	Miller,	Snider,
Bonawitz,	Griffiths,	Mills,	Sollenberger,
Boorse,	Guthrie,	Mintess,	Sorg,
Bower,	Gyger,	Mohr,	Sproul,
Brelsch,	Hall,	Mooney,	Stank,
Brice,	Haudenshield,	Moore, C. E.,	Stimmel,
Brunner,	Helm,	Moore, H. A.,	Stockham,
Bucchin,	Henry,	Morrison,	Stonier,
Cadwalader,	Hewitt,	Murray,	Stuart,
Cassidy,	Hooker,	Najaka,	Swope,
Chervenak,	Hoffman,	Naumann,	Tahl,
Cochran,	Hoopes,	Needham,	Thomassy,
Cook,	Horan,	Neff,	Thompson,
Cooper,	Imbt,	O'Connor,	Tittle,
Cordier,	Jennings,	O'Dare,	Tompkins,
Costa,	Johnson,	O'Donnell,	Toomey,
Crowley,	Johnston,	O'Neill,	Turner,
Dague,	Jones,	Orban,	Upshur,
Dalrymple,	Jump,	Patten,	Vaughan,
Davison,	Kean,	Petrosky,	Verona,
De Long,	Kelley,	Pichney,	Wachhaus,
Demech,	Kemp,	Pickens,	Wagner,
Dennison,	Kent,	Polaski,	Wallin,
Depuy,	Kirley,	Powers,	Waterhouse,
Dix,	Kohl,	Price,	Watkins,
Dye,	Kratz,	Propert,	Watson,
Efenberg,	Krise,	Ragot,	Waldron,
Elder,	Kurtz,	Readinger,	Weidner,
Erb,	Laughner,	Reagan,	Weiss,
Ewing,	Layer,	Reese, D. P.,	Wescott,
Feola,	Lee,	Reese, R. E.,	West,
Fish,	Lelsey,	Reilly, J. M.,	Wheeler,
Fiss,	Livingston,	Reilly, W. J.,	Wolf,
Flack,	Livingstone,	Richter,	Wood,
Fleming,	Loftus,	Riley,	Worley,
Foor,	Lyons,	Robbins,	Yeakel,
Frost,	Madden,	Robertson,	Yester,
Gallagher,	Madigan,	Rose,	Yetzer,
Bane,	Cole,	Royer,	Young,
Bentzel,	Evans,	Sarra,	Lichtenwalter,
Brown,	Lovett,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff, Kline, Nelson, Smith, C. M.,

Clevenger,
Gorman,
Haller,

McDonald,
Mikula,
Myers,

Root,
Rowen,

Trout,
Walton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection,

House Bill No. 800, Printer's No. 761

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 909, as follows:

An Act to amend section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns township certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" by providing that salaries of tax collectors their deputies clerks and assistants in third class cities shall be considered as compensation for pension and retirement purposes and requiring certain payments by the taxing districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty-three of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" is hereby amended to read as follows

Section 33 Compensation and Expenses of Tax Collector in Cities of the Third Class Shared For the collection of city county institution district and school taxes in a city of the third class the city treasurer as tax collector shall be paid an annual salary which salary where not definitely fixed by this section shall be fixed before the election of the city treasurer jointly by taxing authorities other than the institution district whose taxes are collected under the provisions of this act In the case of newly created cities the said salary where not definitely fixed by this act shall be fixed by said taxing authorities before any tax duplicates are delivered to the city treasurer In fixing the salary of the tax collector the taxing authorities fixing the same shall each be assigned one vote shall be divided into fractions assigning an equal fraction of one vote to each member of the same taxing authority and a majority of all the fractional votes cast shall govern

In cities of the third class having a population of twenty-five thousand inhabitants and less the annual salary of the tax collector shall not be less than one thousand six hundred dollars nor more than three thousand five hundred dollars

In cities of the third class having a population of more than twenty-five thousand inhabitants and not exceeding fifty thousand the annual salary of the tax collector shall not be less than three thousand five hundred dollars nor more than five thousand dollars

In cities of the third class having a population of more

than fifty thousand inhabitants the annual salary of the tax collector shall be six thousand dollars

In cities of the third class having a population of more than fifty-five thousand inhabitants the annual salary of the tax collector shall not exceed seven thousand five hundred dollars

The tax collector of each city of the third class shall appoint all necessary deputies clerks and assistants whose number and salaries shall be fixed jointly by the taxing districts in the same manner as hereinbefore provided for the fixing of the salary of the tax collector Said deputies clerks and assistants shall give fidelity bond payable to the Commonwealth for the use of the city county institution district and school district conditioned on the faithful accounting and payment over of all tax moneys received by them

Each city of the third class shall provide and furnish for the tax collector at his office as city treasurer suitable office space light heat furniture and janitor service

The salaries of the tax collector and his deputies clerks and assistants shall be paid monthly or semi-monthly in equal proportions by the city the county and the school district in the same manner as other officers of said city county and school district under such arrangement as to payment as may be agreed upon between said taxing districts

The salaries of the city treasurer as tax collector his deputies clerk and assistants as fixed under the provisions of this section shall in each case be considered as salary or compensation paid by the city for the purposes of any pension or retirement act in effect in such city and the taxing authorities other than such city or an institution district shall pay to the said city their respective pro rata share of the amount paid by the city to said fund

The taxing authorities other than the institution district shall be required to pay in equal proportions the premium on the bonds required to be given by law by the tax collector and his deputies clerks and assistants to the Commonwealth

The taxing authorities other than the institution district shall in equal proportions pay the cost of stationery supplies printing notices postage telephone service office equipment and incidental expenses necessarily incurred in the conduct of the tax collector's office these expenses to be determined by a board consisting of one representative from each such taxing authority to be appointed by such taxing authority

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Benitzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Spro
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, R. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buccin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,

Chervenak,	Horan,	O'Dare,
Cochran,	Imbt,	O'Donnell,
Cole,	Jennings,	O'Neill,
Cook,	Johnson,	Orban,
Cooper,	Johnston,	Patten,
Cordier,	Jones,	Petrosky,
Costa,	Jump,	Pichney,
Crowley,	Kean,	Pickens,
Dague,	Kelley,	Polaski,
Dalrymple,	Kemp,	Powers,
Davidson,	Kent,	Price,
De Long,	Kirley,	Propert,
Demech,	Kohl,	Ragot,
Dennison,	Kratz,	Readinger,
Depuy,	Krise,	Reagan,
Dix,	Kurtz,	Reese, D. P.,
Dye,	Laughner,	Reese, R. E.,
Efenberg,	Layer,	Relly, J. M.,
Elder,	Lee,	Relly, W. J.,
Erb,	Leisey,	Richter,
Evans,	Livingston,	Riley,
Ewing,	Livingstone,	Robbins,
Feola,	Loftus,	Robertson,
Fish,	Lovett,	Rosa,
Fiss,	Lyons,	Royer,
Flack,	Madden,	Sarra,
Fleming,	Madigan,	Sax,

Tompkins,
Toomey,
Turner,
Upshur,
Vaughan,
Verona,
Wachhaus,
Wagner,
Waldron,
Wallin,
Waterhouse,
Watkins,
Watson,
Weldner,
Weiss,
Wescott,
Wes,
Wheeler,
Wolf,
Wood,
Worley,
Yeakel,
Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 958, Printer's No. 640

House Bill No. 975, Printer's No. 763 and

House Bill No. 980, Printer's No. 729

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 999, as follows:

An Act to add sections ninety-seven and ninety-eight to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the formation of a State association of directors of veterans' affairs and the payment by counties of certain expenses in connection therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding after section ninety-five thereof a subdivision heading and two sections to read as follows

7 Directors of Veterans' Affairs

Section 97 Formation Purpose The directors of veterans' affairs of the several counties of this Commonwealth are hereby authorized to organize themselves into a State association with power to hold annual meetings at such time and place within the State as they may designate for the purpose of securing more uniformity and

cooperation in the conduct of their offices and improving their service to veterans

Section 98 Expenses Time Limit Each director of veterans' affairs shall be allowed all reasonable expenses including hotel bills and traveling expenses actually incurred going to attending and returning from any annual meeting of the association but not in excess of fifty dollars in any one year which shall be paid by the county of which he or she is an officer by orders drawn on the treasurer thereof The time spent in attending such meetings shall not be more than three days exclusive of the time employed in traveling thereto and therefrom The expenses of the annual meeting of the association including any necessary amount for printing committee meetings and stenographic services shall be paid by the proper counties but shall not exceed twenty-five dollars for each county the director of veterans' affairs of which is a member of said association

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Brelsich,	Hall,	Moore, H. A.,	Stookham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buccin,	Hewitt,	Naumann,	Tahl,
Jadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watsons,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Westcott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,	Aaronson,	Foor,	Mazza,	Scanlon,
----------	--------	---------	---------------	-----------	-------	--------	----------

Clevenger,
Gorman,
Haller,

McDonald,
Mikula,
Myers,

Root,
Rowen,

Trout,
Walton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act to amend rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating operations approaching inaccessible workings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Rule fifteen of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Rule 15 Whenever a place is [likely to contain a dangerous accumulation of water the working approaching such places] approaching inaccessible workings which are likely to contain a dangerous accumulation of water or gas the operator shall establish and clearly show on the map furnished the mine foreman a stopping distance not less than one hundred (100) feet from the said inaccessible workings and such stopping point shall not be passed until after the coal company officials the mining engineer and the mine inspector have agreed on the width of any such approaching place or places and the point or distance at which test holes shall be started the said test holes shall not be less than twenty (20) feet in advance of the working face there shall be one such test hole at or near the center of the working face and sufficient flank holes on each side of said place No such stopping distance shall be less than one hundred (100) feet from the said inaccessible abandoned workings nor need it be greater than the distance calculated in accordance with the rule commonly used in the establishing of barrier pillars namely one per centum (1%) of the depth below drainage times the thickness of the coal seam plus thickness of seam times five (5) excepting in such cases where calculation in accordance with said rule establishes a stopping distance of less than one hundred (100) feet This act does not permit the driving of gangways chambers or other excavations into barriers which are subjected to their maximum water pressure as calculated in accordance with the rule here established unless the said water-head is reduced by pumping or other means

The term "mining engineer" as used in this act shall mean the person who shall in behalf of the operator have charge or general supervision of the work of compiling the mine map

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Buchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley, J.	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1087, as follows:

An Act to amend rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring weekly examinations of all accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been found

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Rule four of Article XII of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and

preservation of property connected therewith" is hereby amended to read as follows

Rule 4 All accessible parts of an abandoned portion of a mine in which mine explosive gases have at any time been [found] detected with a flame safety lamp shall be carefully examined by the mine foreman or his assistants at least once a week and all danger found existing therein shall be immediately removed. A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Mohr,	Griffiths,	Sproul,
Boorse,	Mooney,	Guthrie,	Stank,
Bower,	Moore, C. E.,	Gyger,	Stimmel,
Breisch,	Moore, H. A.,	Hall,	Stockham,
Brice,	Morrison,	Haudenshield,	Stonier,
Brown,	Murray,	Helm,	Stuart,
Brunner,	Najaka,	Henry,	Swope,
Buchin,	Naumann,	Hewitt,	Tahl,
Cadwalader,	Needham,	Hocker,	Thomassy,
Capano,	Neff,	Hoffman,	Thompson,
Cassidy,	O'Connor,	Hoopes,	Tittle,
Chervenak,	O'Dare,	Horan,	Tompkins,
Cochran,	O'Donnell,	Imbt,	Toomey,
Cole,	O'Neill,	Jennings,	Turner,
Cook,	Orban,	Johnson,	Upshur,
Cooper,	Patten,	Johnston,	Vaughan,
Cordier,	Petrosky,	Jones,	Verona,
Costa,	Pichney,	Jump,	Wachhaus,
Crowley,	Pickens,	Kean,	Wagner,
Dague,	Polaski,	Kelley,	Waldron,
Dalrymple,	Powers,	Kemp,	Wallin,
Davison,	Price,	Kent,	Waterhouse,
De Long,	Propert,	Kirley,	Watkins,
Demech,	Ragot,	Kohl,	Watson,
Dennison,	Readinger,	Kratz,	Weidner,
Depuy,	Reagan,	Krise,	Weiss,
Dix,	Reese, D. P.,	Kurtz,	Wescott,
Dye,	Reese, R. E.,	Laughner,	West,
Efenberg,	Reilly, J. M.,	Layer,	Wheeler,
Elder,	Reilly, W. J.,	Lee,	Wolf,
Erb,	Richter,	Leisey,	Wood,
Evans,	Riley,	Livingston,	Worley,
Ewing,	Robbins,	Livingstone,	Yeakel,
Feola,	Robertson,	Loftus,	Yester,
Fish,	Rose,	Lovett,	Yetzer,
Fiss,	Royer,	Lyons,	Young,
Flack,	Sarra,	Madden,	Lichtenwalter,
Fleming,	Sax,	Madigan,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1113, as follows:

An Act to add clause XXIV.1 to section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" authorizing township supervisors to acquire by lease the use of real property

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended by adding after clause XXIV thereof a new clause to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * * *

XXIV.1 To acquire by lease the use of real property whenever deemed necessary for the conduct of township affairs or protection of township property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Brelsch,	Hall,	Moor, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najak,	Swope,
Buchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Tomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Probert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Espey,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Relly, J. M.,	Wheeler,
Elder,	Lee,	Relly, J. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,

Feola,
Fish,
Fiss,
Flack,
Fleming,

Loftus,
Lovett,
Lyons,
Madden,
Madigan,

Robertson,
Rose,
Royer,
Sarraf,
Sax,

Yester,
Yetzer,
Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—14

Chudoff,
Clevenger,
Gorman,
Haller,

Kline,
McDonald,
Mikula,
Myers,

Nelson,
Root,
Rowen,

Smith, C. M.,
Trout,
Walton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection,

House Bill No. 1309, Printer's No. 786 and

Senate Bill No. 100, Printer's No. 301

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 217, as follows:

An Act to amend subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" providing a uniform method of condemnation and payment of damages in boroughs and cities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section two and section eight of the act approved the twenty-ninth day of May one thousand nine hundred forty-five (P. L. 1108) entitled "An act authorizing the establishment construction and maintenance of limited access highways and local service highways and providing for closing certain highways providing for the taking of private property and for the payment of damages therefor providing for sharing the costs involved and for the control of traffic thereover providing penalties and making an appropriation" are hereby amended to read as follows

Section 2

* * * * *

(d) The designation of a limited access highway in a city by either the Secretary of Highways or by the commissioners of the county in which the city is located shall be subject to the approval of the city as evidenced by an ordinance duly passed in accordance with the law. Such approval by a city shall in no way impose any liability upon the city for property damages occasioned by the designation of a limited access highway

Section 8 [The taking of private property and the payment of damages therefor in the construction or designation of a limited access highway or local service highway by the Secretary of Highways shall be in the same manner as now or hereafter provided by law for the relocation or widening of State highways] For the purpose of constructing limited access highways local service highways or intersection streets or roads the Secretary of Highways is hereby empowered to take property and

pay damages therefor as herein provided In townships such property shall be taken and damages paid therefor in the same manner as now or hereafter provided by law for the relocation or widening of State highways in townships In boroughs and cities such property shall be taken and damages paid therefor in the same manner as now or hereafter provided by law for the relocation or widening of State highways in boroughs The owner or owners of private property affected by the construction or designation of a limited access highway or local service highway or by a change of the width or lines of any intersecting streets or roads shall be entitled only to damages arising from an actual taking of property The Commonwealth shall not be liable for consequential damages where no property is taken Provided however That the Secretary of Highways shall have authority to enter into agreements for the sharing of the cost of property damages with the officials of any political subdivision of the Commonwealth which assumes such responsibility by proper resolution or ordinance The taking of private property and the payment of damages therefor by the authorities of any political subdivision of the Commonwealth shall be in the same manner as now or hereafter provided by law for the relocation or widening of highways by the political subdivision in which such highway is located

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Boles,	Greenwood,	Mills,	Sollenberger,
Bloom,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Bucchin,	Helm,	Murray,	Stuart,
Brown,	Henry,	Najaka,	Swope,
Brunner,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	West,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Eisenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,

Fiss,
Flack,
Fleming.

Lyons,
Madden,
Madigan,

Royer,
Sarraf,
Sax,

Young,
Lichtenwalter,
Speaker.

NAYS—0

NOT VOTING—14

Chudoff,
Clevenger,
Gorman,
Haller,

Kline,
McDonald,
Mikula,
Myers,

Nelson,
Root,
Rowen,

Smith, C. M.,
Trout,
Walton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 233, as follows:

An Act to further amend section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring submission of all plans for public improvements to the county planning commission for approval and prohibiting the recording of plans and sales of lots before their approval under penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred four of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-fifth day of June one thousand nine hundred and thirty-seven (P. L. 2124) is hereby further amended to read as follows

Section 504 Plans of Subdivisions Jurisdiction Scope of Subdivisions Regulations Procedure Penalties The County Planning Commission shall have jurisdiction and control of the subdivision of land located within the county limits For the purpose of this section a subdivision shall be construed to be a division of any part parcel or area of land by the owner or agent either by lots or by metes and bounds into lots or parcels three or more in number for the purpose of conveyance transfer improvement or sale with appurtenant roads streets lanes alleys and ways dedicated or intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon [All plans of streets or highways for public use and all] All plans plots and replots of land laid out in building lots and the streets highways alleys or other portions of the same intended to be dedicated to public use or the use of purchasers or owners of lots fronting thereon or adjacent thereto located within the county limits except those located within any city or borough within the said counties shall be submitted to the County Planning Commission if one has been created and approved by it before they shall be recorded And it shall not be lawful to receive or record any such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the County Planning Commission if one has been created The disapproval of any such plan by the County Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the county concerning maintenance or improvement of any such dedicated [lots] street highways alleys or other portions of the same until the proper authorities of the

county shall have made actual appropriation of the same by entry use or improvement The owners and purchasers of such lots shall be conclusively presumed to have notice of public plans maps and reports of the commission affecting such property within its jurisdiction Any owner or agent of the owner of any land located within a subdivision who sells transfers or agrees to sell any land by reference to or exhibition of or by other use of a plan of a subdivision before the same has been approved by the County Planning Commission shall upon summary conviction thereof before any alderman or justice of the peace of the county be sentenced to pay a fine of not less than fifty dollars (\$50) or more than one hundred dollars (\$100) and the cost of the prosecution or undergo an imprisonment for a term of not more than thirty days for each lot or parcel transferred or sold or agreed to be sold and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided Counties may also enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction in addition to the penalty herein provided

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simone,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Grimths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudensheld,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucoba,	Hewitt,	Naumann,	Tahl,
Cacwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Growley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarraf,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 253, Printer's No. 255

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 263, as follows:

An Act to further amend section two and amend sections three and five of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" extending requirements as to contents of labels and increasing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1303) entitled "An act to regulate the sale of certain hypnotic analgesic and body-weight reduction drugs in the interest of public health" as amended by the act approved the second day of May one thousand nine hundred forty-five (P. L. 380) is hereby further amended to read as follows

Section 2 No hypnotic drug or analgesic or body-weight reduction drug as defined herein shall be sold at retail or dispensed to any person except upon the written prescription of a duly licensed physician dentist or veterinarian compounded or dispensed by a registered pharmacist or under the immediate personal supervision of a registered pharmacist and no pharmacist shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the pharmacist the name and address of the patient the date compounded and the consecutive number of the prescription under which it is recorded in his prescription files together with the name of the physician dentist or veterinarian prescribing it Provided That the provisions of this section of this act shall not apply to a duly licensed physician dentist or veterinarian Provided however That they keep a record of the amount of such drugs purchased and a dispensing record showing the date name of the quantity of the drugs dispensed and the name and address of the patient No physician dentist or veterinarian shall dispense any such drug without affixing to the container in which the drug is sold or dispensed a label bearing the name and address of the dispenser the date dispensed the name and address of the patient and the directions for the use of the drug by the patient

Sprays eye lotions toothache drops liniments inhalers and external preparations not including vaginal or rectal remedies may be sold at retail provided that such compound or mixture or preparation intended as a spray eye lotion toothache drops liniment inhalers or external application shall contain in addition to the content of Chlorbutanol or other drug defined under this act some other

drug or drugs conferring upon it medicinal qualities other than those possessed by the drug used as specified in this act and that such compounds or mixtures or preparations shall be sold in good faith for the purpose for which they are intended and not for the purpose of evading the provisions of this act

Section 2 Section five of said act is hereby amended to read as follows

Section 5 Any person who shall violate or fail to comply with any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not [less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00)] more than one thousand dollars (\$1000) for the first offense [not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for the second offense and not less than one hundred dollars (\$100.00) for the third and each subsequent offense] and not less than one thousand dollars (\$1,000) nor more than two thousand dollars (\$2,000) for the second and each subsequent offense If the violation is by a corporation copartnership or association the officers and directors of such corporation or the members of such copartnership or association their agents and employees with guilty knowledge of the fact shall be deemed guilty of a violation of the provisions of this act to the same extent as though said violation were committed by them personally

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson.	Foor.	Mazza.	Scanlon.
Andrews.	Frost.	McCormack.	Schuster.
Bane.	Gallagher.	McCosker.	Scott.
Barrett.	Getchey.	McCullough.	Serrill.
Baumunk.	Gibson.	McKinney.	Shoemaker.
Beech.	Goff.	McMillen.	Simons.
Bender.	Goodling.	Mihm.	Smith, C. C.
Bentzel.	Graybill.	Miller.	Snider.
Bloom.	Greenwood.	Mills.	Sollenberger.
Boles.	Greer.	Mintess.	Sorg.
Bonawitz.	Griffiths.	Mohr.	Sproul.
Boorse.	Guthrie.	Mooney.	Stank.
Bower.	Gyger.	Moore, C. E.	Stimmel.
Breisch.	Hall.	Moore, H. A.	Stockham.
Brice.	Haudenschild.	Morrison.	Stonier.
Brown.	Helm.	Murray.	Stuart.
Brunner.	Henry.	Najaka.	Swope.
Bucchin.	Hewitt.	Naumann.	Tahl.
Cadwalader.	Hocker.	Needham.	Thomassy.
Capano.	Hoffman.	Neff.	Thompson.
Cassidy.	Hoopes.	O'Connor.	Tittle.
Chervenak.	Horan.	O'Dare.	Tompkins.
Cochran.	Imbt.	O'Donnell.	Toomey.
Cole.	Jennings.	O'Neill.	Turner.
Cook.	Johnson.	Orban.	Upshur.
Cooper.	Johnston.	Patten.	Vaughan.
Cordier.	Jones.	Petrosky.	Verona.
Costa.	Jump.	Pichney.	Wachhaus.
Crowley.	Kean.	Pickens.	Wagner.
Dague.	Kelley.	Polaski.	Waldron.
Dalrymple.	Kemp.	Powers.	Wallin.
Davison.	Kent.	Price.	Waterhouse.
De Long.	Kirley.	Propert.	Watkins.
Demech.	Kohl.	Ragot.	Watson.
Dennison.	Kratz.	Readinger.	Weldner.
Depuy.	Krise.	Reagan.	Welss.
Dix.	Kurtz.	Reese, D. P.	Westcott.
Dye.	Laughner.	Reese, R. E.	West.
Efenberg.	Layer.	Reilly, J. M.	Wheeler.
Elder.	Lee.	Reilly, W. J.	Wolf.
Erb.	Leisey.	Richter.	Wood.
Evans.	Livingston.	Riley.	Worley.
Ewing.	Livingstone.	Robbins.	Yeakel.
Feola.	Loftus.	Robertson.	Yester.
Fish.	Lovett.	Rose.	Yetzer.

Fiss.
Flack.
Fleming.

Lyons.
Madden.
Madigan.

Royer.
Sarraf.
Sax.

Young.
Lichtenwalter.
Speaker.

NAYS—0

NOT VOTING—14

Chudoff.
Clevenger.
Gorman.
Haller.

Kline.
McDonald.
Mikula.
Myers.

Nelson.
Root.
Rowen.

Smith, C. M.
Trout.
Walton.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 366, as follows:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" authorizing county jails to receive persons under quarantine and providing for reimbursement by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the sixteenth day of May one thousand nine hundred forty-five (P. L. 577) entitled "An act for the prevention control and cure of venereal diseases by requiring certain persons to submit to physical examination and blood tests providing for the treatment of certain persons requiring reports to be made to the State Department of Health imposing duties upon and authorizing and directing the Secretary of Health to make rules and regulations and to disseminate certain information regulating the advertisement and restricting the sale of certain drugs and remedies and imposing penalties" is hereby amended to read as follows

Section 5 Treatment The State Department of Health shall provide or designate adequate facilities for the free diagnosis (including blood and other tests) of venereal diseases and for the free treatment and care of persons so infected when necessary for the public health

(a) Any person determined by the Secretary of Health to be infected with a venereal disease in a communicable stage may in the discretion of the Secretary of Health be dealt with in accordance with [his] quarantine of the State Department of Health until the disease of such person is determined by approved diagnostic procedure to be no longer in a communicable stage

(b) If a person is determined by the [secretary] Secretary of Health to be infected with a venereal disease in a communicable stage and if such person refuses to submit to treatment approved by the Secretary of Health any court of record having equitable jurisdiction may upon application of the State Department of Health commit such person to an appropriate institution designated by the State Department of Health for treatment until the disease has been rendered noncommunicable

(c) Any county jail may receive persons who are under quarantine by the State Department of Health by reason of a venereal disease for the purpose of safe-keeping and treatment The State Department of Health shall re-

imburse institutions which accept such persons at the rate of maintenance that prevails in such institution The State Department of Health shall furnish necessary medical treatment to persons who are so quarantined

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Brelsche,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Nedham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarrafi,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Haller,	Mikula,	Rowen,	Walton,
Gorman,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 434, Printer's No. 138

was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 448, as follows:

An Act to further amend section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" by permitting a master duly appointed by the orphans' court to authorize the issuance of marriage licenses in cases of emergency or extraordinary circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-fourth day of July one thousand nine hundred thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" as amended by the act approved the seventh day of May one thousand nine hundred thirty-five (P. L. 152) is hereby further amended to read as follows

Section 1 Be it enacted &c That no license to marry shall be issued except after three days from the day of making application therefor and upon written and verified application to the clerk of the orphans' court Provided That in cases of emergency or extraordinary circumstances a judge of the orphans' court or a master duly appointed by said court may authorize the license to be issued at any time before the expiration of said three days Such application shall contain a statement of the full Christian name and surname color occupation birthplace residence and ages of the parties whether the marriage contemplated is the first second or other marriage and that neither of the contracting parties is afflicted with a transmissible disease together with the full Christian name and surname residence color occupation and birthplace of their parents including the maiden name of the mother together with such other facts as may be necessary to determine whether any legal impediment to the proposed marriage exists Such application shall be recorded by the clerk together with the license and certificate of marriage in a book provided for that purpose which book shall be a public record

Section 2 The provisions of this act shall become effective on the first day of the month succeeding the date of its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,

Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kilne,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 478, Printer's No. 244 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 552, as follows:

An Act further prescribing the bonds required of foreign corporations contracting for public buildings public works or projects

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In every case when a contract is to be entered into on behalf of the Commonwealth or any agency thereof or on behalf of any political subdivision or any agency thereof with a foreign corporation for the erection construction alteration or repair of any public building public work or public project the bond or bonds required by law to be furnished by such contracting foreign corporation before the letting of such contract or with or in relation to such contract shall contain in addition to the conditions and provisions required by law a further condition or stipulation that the contracting corporation or its sureties

shall not be discharged from liability on the bond nor the bond surrendered until such corporation files with the contracting authorities a certificate from the Department of Revenue evidencing the payment in full of all bonus taxes penalties and interest and a certificate from the Bureau of Employment and Unemployment Compensation of the Department of Labor and Industry evidencing the payment of all unemployment compensation contributions penalties and interest due the Commonwealth from the said contracting corporation or any foreign corporation sub-contractor thereunder or for which liability has accrued but the time for payment has not arrived

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenschild,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	West,
Dye,	Laughner,	Reese, R. E.,	Wescott,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kilne,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate

with information that the House of Representatives has passed the same without amendment.

BILL PASSED OVER

There being no objection,

Senate Bill No. 563, Printer's No. 167
was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 616, as follows:

An Act to add clause fifty-six to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering city councils by ordinance to define and penalize disorderly conduct

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding after clause fifty-five thereof a new clause to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

56 To define disorderly conduct within the limits of the city and to provide for the imposition of penalties for the violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boies,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dairymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,

Depuy,	Krise,	Reagan,	Wescott,
Dix,	Kurtz,	Reese, D. P.,	West,
Dye,	Laughner,	Reese, R. E.,	Wheeler,
Efenberg,	Layer,	Reilly, J. M.,	Wolf,
Elder,	Lee,	Reilly, W. J.,	Wood,
Erb,	Leisey,	Richter,	Worley,
Evans,	Livingston,	Riley,	Yeakel,
Ewing,	Livingstone,	Robbins,	Yester,
Feola,	Loftus,	Robertson,	Yetzer,
Fish,	Lovett,	Rose,	Young,
Fiss,	Lyons,	Royer,	Lichtenwalter,
Flack,	Madden,	Sarraf,	Speaker.
Fleming,	Madigan,	Sax,	

NAYS—1

Welss,

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

BILLS PASSED OVER

There being no objection,

Senate Bill No. 674, Printer's No. 287,

Senate Bill No. 675, Printer's No. 288,

Senate Bill No. 710, Printer's No. 270,

were passed over at the request of the SPEAKER.

REPORT FROM COMMITTEE

Mr. CORDIER from the Committee on Municipal Corporations, reported as amended, House Bill No. 214, entitled:

An Act to reenact and amend the act approved the nineteenth day of March one thousand nine hundred forty-three (P. L. 18) entitled "An act authorizing during the present war time emergency cities counties and other political subdivisions to pay compensation to their officers (except officers elected by the people) employes and others who are paid out of their treasuries in addition to the compensation fixed by act of Assembly validating ordinances and other legislative acts authorizing such payments and all payments made thereunder and suspending existing laws" extending the provisions thereof for an additional period of time.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1335.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-seven.

With the information that the Senate has passed the same without amendment.

CONCURRENCE IN HOUSE RESOLUTION

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 27, 1947

Resolved, (if the Senate concurs), That House Bill No. 1286, Printer's No. 504, entitled "An act validating certain conveyances of real property made by a county home or by the directors of the poor," be recalled from the Governor for the purpose of amendment.

HOUSE BILL No. 631 AND MESSAGE TAKEN FROM TABLE

Mr. REAGAN. Mr. Speaker, I move that House Bill No. 631, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 631.

An Act regulating the selling offering or exposing for sale of argicultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 4, page 10, line 1 by inserting the following: "(3) For seeds which germinate less than the standard last established by the secretary of Agriculture under this act".

Amend page 10 line 4, by striking out the brackets and figure "3" and inserting in lieu thereof the brackets and letter "A".

Amend page 10, line 5, by striking out the brackets and figure "4" and inserting in lieu thereof the brackets and letter "B".

Amend page 10, line 6, by striking out the brackets and figure "5" and inserting in lieu thereof the brackets and letter "C".

Amend page 10, by inserting after line 7 the following on lines 8 and 9: (D) The words "Below germination standard" in not less than eight-point type.

Amend page 10, line 10, by striking out the bracket and figure "6" and inserting in lieu thereof the brackets and figure "4".

Amend page 11, line 1, by striking out the following: "(3) Containing weed seeds in excess of three per cent by weight".

Amend page 11, line 2, by striking out "(4)" and inserting in lieu thereof the following "(3)".

Amend page 11, line 4, by inserting the following "(4) containing weed seeds collectively in excess of three per cent by weight".

Amend page 11, line 10, by inserting after the word "person" the words "offering seed for sale."

Amend section 8, page 12, line 9 by inserting after the word "regulations" the words "standard tolerances".

On the question,

Will the House concur in the amendments made by the Senate?

Mr. REAGAN. I request that the House concur in the amendments made by the Senate.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Scouster,
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill,
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, C. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weidner,
Deputy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Leisey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley,
Ewing,	Livingstone,	Robbins,	Yester,
Feola,	Loftus,	Robertson,	Yeakel,
Fish,	Lovett,	Rose,	Yetzzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE BILL No. 313 AND MESSAGE TAKEN FROM TABLE

Mr. DAVID P. REESE. Mr. Speaker, I move that

Senate Bill No. 313, together with the message from the Senate, be taken from the table.

The motion was agreed to.

SENATE MESSAGES

AMENDED SENATE BILLS NONCONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows:

SENATE BILL No. 313.

An Act to reenact amend and revise the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103), as amended entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto."

Mr. DAVID P. REESE. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 673.

An Act to further amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing pealties," permitting persons returning to county employment within five years to reinstatement upon fulfilling certain conditions

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 14, by striking out after the word "employment" the word "or" and inserting in lieu thereof the word "and".

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. DAVID P. REESE. Mr. Speaker, I move that the bill, together with the message from the Senate, be laid upon the table.

The motion was agreed to.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 895.

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examinations and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment. The Clerk read the amendment as follows:

Amend section 1, page 3, line 4, by striking out after the word "broker" the words "who resides and maintains an office in the Commonwealth".

On the question,

Will the House concur in the amendment made by the Senate?

Mr. KURTZ. Mr. Speaker, I request that the House concur in the amendment made by the Senate.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—191

Aaronson,	Foor,	Mazza,	Scanlon,
Andrews,	Frost,	McCormack,	Schuster.
Bane,	Gallagher,	McCosker,	Scott,
Barrett,	Getchey,	McCullough,	Serrill.
Baumunk,	Gibson,	McKinney,	Shoemaker,
Beech,	Goff,	McMillen,	Simons,
Bender,	Goodling,	Mihm,	Smith, C. C.,
Bentzel,	Graybill,	Miller,	Snider,
Bloom,	Greenwood,	Mills,	Sollenberger,
Boles,	Greer,	Mintess,	Sorg,
Bonawitz,	Griffiths,	Mohr,	Sproul,
Boorse,	Guthrie,	Mooney,	Stank,
Bower,	Gyger,	Moore, J. E.,	Stimmel,
Breisch,	Hall,	Moore, H. A.,	Stockham,
Brice,	Haudenshield,	Morrison,	Stonier,
Brown,	Helm,	Murray,	Stuart,
Brunner,	Henry,	Najaka,	Swope,
Bucchin,	Hewitt,	Naumann,	Tahl,
Cadwalader,	Hocker,	Needham,	Thomassy,
Capano,	Hoffman,	Neff,	Thompson,
Cassidy,	Hoopes,	O'Connor,	Tittle,
Chervenak,	Horan,	O'Dare,	Tompkins,
Cochran,	Imbt,	O'Donnell,	Toomey,
Cole,	Jennings,	O'Neill,	Turner,
Cook,	Johnson,	Orban,	Upshur,
Cooper,	Johnston,	Patten,	Vaughan,
Cordier,	Jones,	Petrosky,	Verona,
Costa,	Jump,	Pichney,	Wachhaus,
Crowley,	Kean,	Pickens,	Wagner,
Dague,	Kelley,	Polaski,	Waldron,
Dalrymple,	Kemp,	Powers,	Wallin,
Davison,	Kent,	Price,	Waterhouse,
De Long,	Kirley,	Propert,	Watkins,
Demech,	Kohl,	Ragot,	Watson,
Dennison,	Kratz,	Readinger,	Weldner,
Depuy,	Krise,	Reagan,	Weiss,
Dix,	Kurtz,	Reese, D. P.,	Wescott,
Dye,	Laughner,	Reese, R. E.,	West,
Efenberg,	Layer,	Reilly, J. M.,	Wheeler,
Elder,	Lee,	Reilly, W. J.,	Wolf,
Erb,	Lelsey,	Richter,	Wood,
Evans,	Livingston,	Riley,	Worley.

Ewing,	Livingstone,	Robbins,	Yeakel,
Feola,	Loftus,	Robertson,	Yester,
Fish,	Lovett,	Rose,	Yetzer,
Fiss,	Lyons,	Royer,	Young,
Flack,	Madden,	Sarra,	Lichtenwalter,
Fleming,	Madigan,	Sax,	Speaker.

NAYS—0

NOT VOTING—14

Chudoff,	Kline,	Nelson,	Smith, C. M.,
Clevenger,	McDonald,	Root,	Trout,
Gorman,	Mikula,	Rowen,	Walton,
Haller,	Myers,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate:

Senate Bills for concurrence 373, 644 and 685.

PERMISSION TO ADDRESS HOUSE

Mr. WEISS asked and obtained unanimous consent to address the House.

Mr. Speaker, on last Wednesday, May 21st, it was necessary for me to go to Pittsburgh to bring my wife and infant daughter home from the hospital and as the result of same I did not have the opportunity to vote on some important legislation effecting the working man. Had I been present on that date and in the Hall of the House I would have voted as follows: on House Bill No. 195 "aye". On House Bill No. 826, "No". On House Bill 952, "No." On House Bill 1001, "No"; on House Bill 1076, "No" and Senate Bill 78, "No".

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 631.

An Act regulating the selling offering or exposing for sale of agricultural seeds and seed mixtures for seeding purposes requiring certain information to be affixed to the container in which such seeds are sold conferring powers and imposing duties upon the Department of Agriculture and the Secretary thereof authorizing stop-sale orders by the Secretary in certain cases providing for inspections reports and surveys by the department imposing powers and duties upon certain courts and prescribing penalties

HOUSE BILL No. 895.

An Act to add section six hundred twenty-six to the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 789), entitled as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies; Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and

repealing existing laws," authorizing insurance companies, associations and exchanges to pay commissions to licensed brokers

HOUSE BILL No. 1335.

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purpose of carrying out the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred forty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred forty-seven.

SENATE BILL No. 310.

An Act to amend section four of the act approved the twenty-fifth day of May one thousand nine hundred forty-five (P. L. 1050) entitled "An act relating to the collection of taxes levied by counties county institution districts cities of the third class boroughs towns townships certain school districts and vocational school districts conferring powers and imposing duties on tax collectors courts and various officers of said political subdivisions and prescribing penalties" requiring taxing districts to pay the premiums on corporate bonds of tax collectors in boroughs towns and townships of the second class and fixing the time when such tax collectors shall file their bonds

SENATE BILL No. 314.

An Act to further amend section seven of the act, approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106), entitled, as amended, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts, adoption of plans for flood control works and improvements, carrying into effect of such plans, assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements, and entering into compacts and agreements with other states for flood control works and improvements; conferring the power of eminent domain; providing for the setting off of benefits; imposing certain charges upon the Commonwealth; providing for appeals; and conferring certain powers on municipalities, counties, and townships, and the Department of Highways," permitting the Department of Forests and Waters to use dams, lakes, reservoirs and adjoining lands acquired for flood control purposes as recreational areas and providing for the installation of flood forecasting and warning systems.

SENATE BILL No. 316.

An Act authorizing the Department of Forests and Waters to provide for stream clearance and stream channel rectifications to construct and maintain dams reservoirs lakes and other works and improvements for impounding flood waters and conserving the water supply of the Commonwealth and for creating additional recreational areas to acquire by purchase condemnation or otherwise certain land for such purposes to construct and maintain flood forecasting and warning systems.

SENATE BILL No. 505.

An Act to further amend the act approved the fourth day of June one thousand nine hundred forty-three (P. L. 886) entitled "An act creating a Municipal Employees' Retirement System for the payment of retirement allowances to officers and employees of political subdivisions and institutions supported and maintained by them and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employees' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may

join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions and institutions supported and maintained by them providing certain exemptions from taxation execution attachment levy and sale and making an appropriation" changing the provisions relating to prior service and defining prior salary changing the superannuation retirement age eliminating the requirement for joinder of system by twenty-five municipalities reducing the amount of contributions by members and changing provisions relating to retirement allowances

SENATE BILL No. 519.

An Act to amend the title and to further amend section one of the act approved the twelfth day of May, one thousand nine hundred forty-three (P. L. 259), entitled "An act providing for the payment by the State Treasurer, of one-half of the amount of the tax on premiums paid by foreign casualty insurance companies, to the treasurers of the several cities, boroughs, towns and townships, and for the payment thereof into police pension funds, and in certain cases into the Municipal Employes' Retirement System, and in certain other cases into the State Employes' Retirement Fund, for certain purposes," providing for the purchase by the municipality of Pension Annuity Contracts for policemen.

SENATE BILL No. 637.

An Act authorizing the creation of mosquito control districts in or among the political subdivisions of the Commonwealth; defining their powers and duties; providing for the membership thereof; providing for co-operation with the Department of Agriculture and other State agencies and requiring certain reports.

SENATE BILL No. 639.

A Further Supplement to the act, approved the twenty-ninth day of April, one thousand eight hundred seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," granting to every corporation heretofore or hereafter incorporated for the purpose of engaging in the telephone or telegraph business, the power to appropriate private property in certain cases and subject to approval by the Public Utility Commission for the construction, maintenance and operation of its lines and facilities, and providing for the

assessment of damages arising from such appropriation and the method of appropriation.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. ANDREWS asked and obtained unanimous consent to address the House.

Mr. Speaker, no one is more sympathetic than myself with the aspirations of the gentleman of the press to cover the news of this General Assembly. In my opinion it is perfectly proper for Chairman of Committees from time to time to release such information as they may deem proper to release. However, when the Chairmen of Committees of either House are definitely charged, either by direct order or by implication, to conduct negotiations and arrive at commitments which are presumably binding upon the membership of the House and the General Assembly as a whole, I believe it would be more fitting if at least concurrently with the release of the final decisions arrived at and concurrently with the release to the press, the Members of this House who are presumably involved and committed to the decisions arrived at, should also be informed. In short, Mr. Speaker, I think it is proper to request and also proper to insist that the Members of this House, when releases are made that involve binding commitments, that the press be informed through a release with which the Members of this House are acquainted.

MEMBERS THANKED

The SPEAKER. The Chair wishes to take this opportunity to thank the Members for having an early breakfast and being here at this early hour.

ADJOURNMENT

Mr. VERONA. Mr. Speaker, I move that this House do now adjourn until Monday, June 2, 1947, at 3:30 p. m. Eastern Standard Time.

The motion was agreed to, and (at 10:00 a. m. Eastern Standard Time) the House adjourned.

Legislative Journal.

Session 1947.

137th of the General Assembly.

Vol. 30.

HARRISBURG, PA., FRIDAY, MAY 30, 1947.

No 66.

SENATE

FRIDAY MAY 30, 1947

The Senate met at 12:01 o'clock, a. m., Eastern Standard Time.

The PRESIDENT pro tempore (M. Harvey Taylor) in the Chair.

PRAYER

In the absence of the Chaplain prayer was delivered by the Senator from Cumberland, Mr. WADE.

Eternal God, source of every joy and the inspiration of every earthborn hope, well may Thy praise our lips employ. Give us the understanding that nourishes, restores and establishes the way that we should go. While we may draw the future near and dream of a better day, may we be grateful for the good that is here.

Grant that as we pass this Memorial Day we may have a deep sense of just appreciation for the tremendous sacrifice of those who have given so much that we may live in and enjoy the great blessings of American.

In Thy name we pray. Amen.

JOURNAL APPROVED

The PRESIDENT pro tempore. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. TALLMAN and Mr. HEYBURN, further reading was dispensed with, and the Journal was approved.

BILLS INTRODUCED AND REFERRED

Mr. TALLMAN, on behalf of Mr. TAYLOR, read in his place and presented to the Chair Senate Bill No. 820, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America, of a certain tract of land in the city of Harrisburg, Dauphin County, Pennsylvania, containing approximately twenty-seven acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

He also, on behalf of Mr. T. NEWELL WOOD, read in

his place and presented to the Chair Senate Bill No. 821, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the City of Wilkes-Barre, Luzerne County, Pennsylvania, containing approximately fifty-one acres, for use as a site for a Veterans' Administration Hospital, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

He also, on behalf of Mr. MALLERY, read in his place and presented to the Chair Senate Bill No. 822, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a certain tract of land in the city of Altoona, Blair County, Pennsylvania, containing approximately twenty-three acres for use as a site for a Veterans' Administration Hospital and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

CALENDAR

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS OVER IN ORDER

Mr. TALLMAN. Mr. President, I move that all bills on the calendar on concurrence in House amendments go over in their order.

Mr. SCARLETT. Mr. President, I second the motion. The motion was agreed to.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

OVER IN ORDER

Mr. TALLMAN. Mr. President, I move that Senate Bill No. 477, on final passage recalled from the Governor, go over in its order.

Mr. HEYBURN. Mr. President, I second the motion. The motion was agreed to.

BILL ON FINAL PASSAGE

OVER IN ORDER

Mr. TALLMAN. Mr. President, I move that House Bill No. 507 on final passage, go over in its order.

Mr. WADE. Mr. President, I second the motion. The motion was agreed to.

BILLS ON THIRD READING CALENDAR

OVER IN ORDER

Mr. TALLMAN. Mr. President, I move that all bills on the Third Reading Calendar go over in their order.

Mr. HOMSHER. Mr. President, I second the motion. The motion was agreed to.

BILLS ON SECOND READING CALENDAR

OVER IN ORDER

Mr. TALLMAN. Mr. President, I move that all bills on the Second Reading Calendar, with the exception of House Bill No. 787, go over in their order.

Mr. BECKER. Mr. President, I second the motion. The motion was agreed to.

HOUSE BILL No. 787 CALLED UP

Mr. TALLMAN. Mr. President, I call up House Bill No. 787, for consideration at this time.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 787, entitled:

An Act to further amend sections four and ten of the act approved the twenty-first day of May one thousand

nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by extending the provisions of the additional tax for a limited time and further providing for the distribution of the additional tax to certain political subdivisions of this Commonwealth with certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT

Mr. TALLMAN. Mr. President, I move that the Senate do now adjourn until Monday, June 2, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

Mr. HOMSHER. Mr. President, I second the motion. The motion was agreed to.

The Senate adjourned at 12:12 o'clock, a. m., Eastern Standard Time until Monday, June 2, 1947, at 3:00 o'clock, p. m., Eastern Standard Time.

05-17 BIG



8 032919 991355

UNIVERSITY OF ILLINOIS-URBANA



3 0112 073267665